The Nation.

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The Week.

THE appointment of Robert P. Porter as Superintendent of the Eleventh Census is perhaps the most unfortunate nomination yet made by President Harrison. Mr. Porter is a renegade Englishman, a renegade free-trader, a renegade member of the Tariff Commission of 1882-3, and a man of indifferent repute in other respects. The contrast between him and Gen. Francis A. Walker, the Superintendent of the Tenth Census, is so glaring in every way that the two would never be mentioned in the same breath by any person of scientific training or possessing technical knowledge of the work that the census involves. It is not because Mr. Porter is a protectionist that he is objectionable as Superintendent of this great decennial work. Everybody knew that a protectionist would be appointed. Everybody, we might say, was agreed to that. But Mr. Porter is a protectionist for revenue only. He has shown very clearly that he has no convictions. He has doubled on his own track twice, and he has slandered his native country in a series of letters written for pay. A census taken under such superintendence is discredited in advance in important particulars, and the money spent upon it will be to a large extent wasted, because the results arrived at will not be generally accepted. The Superintendent of the Census holds a quasi-judicial position, and it is of the first importance that he should have gained a reputation for judicial qualities of mind and character. Mr. Porter's reputation is that simply of a soldier of fortune.

How great the misfortune of his appointment is for the country can be inferred from the fact that all discussions of an economical character—all which have to do with the material well-being of the nation—are based upon the decennial census. Originally the census was merely an enumeration of the people as a basis of political representation. It has grown to be the statistical book of the nation's industries, religion, education, taxation, and social organization in general. It is the universal almanac and encyclopædia to which our own people and foreigners turn as to the authority of last resort, either to decide questions of dispute, or to sustain theories, or to gain light in new investigations of social and industrial phenomena. To throw doubt upon such a work before it is begun, to discredit it in the minds of those who are most competent to extract the truth from census-tables, and commend it to less discerning readers, is something which the Senate ought not to sanction.

"Something equally as good" to Tom Platt as a seat in the Cabinet is a contract with the Treasury Department making the United States Express Company (T. C. Platt, President) the exclusive agent of the Government for the transportation of all its moneys throughout the United States, and assigning to said express company rooms in the Treasury Department building at Washington for the transaction of their business. The Buffalo *Courier* publishes a circular letter signed by Platt, in which this contract is described. The Government service has heretofore been performed by the Adams Express Company under a contract made during President Grant's Administration. The contract has not been considered a part of the political spoils heretofore. We do not know any reason why it may not be performed as well by one company as by another. We note the circumstance that Platt has been provided for, with some hope that he may be satisfied with his own plum and stop "bossing" the patronage of New York, and let Mr. Warner Miller's friends have "something equally as good."

Although "Mr. Whitelaw Reid, having taken office abroad under the Government," has retired "from the editorship and direction of the *Tribune*," that journal on Sunday showed all its familiar maladroitness by stepping into the Wanamaker & Brown scandal of the circular to country postmasters, in utter unconcern of what its co-apologists might be doing about it. The *Tribune* said "that Mr. Wanamaker sold out his connection with this house several years ago, the retention of the firm name representing his brothers, and that he has no actual connection with the business." But Messrs. Thomas B. Wanamaker and Robert C. Ogden of Philadelphia say: "We desire, as the partners of John Wanamaker in the firm bearing his name, to state that Wanamaker & Brown constitute a limited company, in which John Wanamaker is simply a stockholder, not even an officer." And the Postmaster-General himself says: "I hold a little stock in it." This is all that anybody has alleged as the ground of charging indecency in the issue of the circular to the Postmaster-General's subordinates. The characteristic *Tribune* touch, however, is the final remark that the circular "was prepared and sent out before the election, when there was no assurance that Gen. Harrison would be elected, or that, if elected, Mr. Wanamaker would be his Postmaster-General." It is dated "April 8th, 1889."

The truth is, that for thick-and-thin partisans this is a clear case for application of the saying, "The least said the soonest mended." With such an odious little scandal, the thing for them to do was to keep silence, and trust to the rush of events and short memories. But misfortune seems a property of the Administration which is just beginning to make itself known. Perhaps no man ever came to the first office of the state with greater advantages than attended Mr. Harrison. Mr. Cleveland's course had made easy for him some ways of wise administration which otherwise would have been difficult. His political opponents in the late campaign received him with open minds, ready and even eager to discern in him intelligence in modern and reasoned methods of statesmanship, and honest purpose to fulfil his public engagements. This disposition was sincere, for the wish was father to the thought, and it could have been changed into firm regard and liking by a course falling far short of ideal capacity and honesty. A little good intent, some tact and management, and a run of luck, would have gone far to establish the Administration firmly in the regard of the people who greeted it so hospitably. But it has had none of these things. The first two it has chosen to do without, but nobody willingly exorcises luck, even if there were any known way of doing that, and the most striking feature of Mr. Harrison's rule up to this time is want of luck. To take the present moment for example, not often can an Administration have on hand at once a vulgar, sordid scandal like the Wanamaker & Brown circular to postmasters, and a great, tragical blunder like turning out of the New York Post-office that dying man, to put a Republican "Boy" in his place, just as his disease was taking its sudden fatal turn. A few more days of squabbling over the New York spoils would have seen Mr. Pearson die untroubled, and would have made it possible to believe that the Administration would have been glad to keep this eminent public servant in the place which he dignified.

Mr. Cleveland not only allowed Republican postmasters in Massachusetts to serve out their terms, but in more than one case reappointed an incumbent who had been efficient in the discharge of his duties and had not been offensive in his partisanship. The first test of what Mr. Harrison would do under similar circumstances was presented in the case of Mr. Couch, Postmaster in the college town of Amherst. He has been a most faithful public servant, and has conducted the office on the principles of civil-service reform, retaining all the assistants and clerks of his predecessors, save where illness necessitated retirement. His reappointment was asked for by nearly the entire faculties of the two colleges and by the leading business men, including the President of the National Bank and the proprietors of the mills, two-thirds of these being Republican in politics. In short, it was eminently a case for the application of the sound principle laid down in Mr. Harrison's letter of acceptance when he said:

> "In appointments to every grade and department, fitness and not party service should be the essential and discriminating test, and fidelity and efficiency the only sure tenure of office. Only the interest of the public service should suggest removals from office."

But the Republican politicians insisted upon Mr. Couch's removal, in order to provide for

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a party-worker, and "fidelity and efficiency" counted for nothing.

The overwhelming majority cast by the voters of Massachusetts against the proposed prohibition amendment to the Constitution on Monday is a reverse to the movement from which it is not likely to recover for many years. All the circumstances combined to render the verdict in the highest degree significant of the decision which the people have reached as to the best present method of grappling with the drink problem. Massachusetts is a State where public questions are still discussed seriously by the press, and where there is an exceptionally large percentage of voters who put conscience into their ballots. The slow processes of constitutional amendment, which require the endorsement of two successive Legislatures before a change in the fundamental law can be proposed, have kept the question before the public mind for two years, and there has been an animated canvass during the weeks which have passed since the present Legislature ratified its predecessor's action and fixed the day for the election. The result thus represents the deliberate verdict of a community which may still justifiably boast of a remarkably high average of popular intelligence.

In round numbers, the vote of the State was 88,000 for the amendment to 132,000 against in a total of 220,000, or not quite two-thirds of the vote cast for President last fall. Every Congressional district gave a majority against the amendment, with the single exception of the first, which takes in Cape Cod and is chiefly composed of thinly settled fishing and farming villages, where there was a majority in its favor of about 800 out of over 14,000 votes. At the other end of the State, the Eleventh District, which is largely composed of farming towns among the hills, but also has several manufacturing places of considerable size, cast 9,077 votes for the amendment and 10,571 against, this being the next most favorable showing for the Prohibitionists. On the other hand, the city of Boston went almost three to one against the amendment, the vote standing 11,060 for to 31,075 against, and the showing for the Prohibitionists was even worse in Lawrence, where the vote stood 984 to 3,476. Only three cities gave a majority for the proposed change, and one of these is the small city of Waltham; Salem is the one place of considerable size which went that way with a sweep, by the remarkable vote of 2,009 to 879. It will probably appear that a majority of the towns which have a population of less than 2,500, especially in the farming sections, favored the amendment, although in many of these the Prohibitionists were surprised by unexpected defeats.

The effect of the Pennsylvania high-license law in abolishing low groggeries in the cities has been from the outset one of its most marked and gratifying successes. The list of applications granted and refused for Pittsburgh and Allegheny County for the year has just been completed, and the comparative showing with previous lists is very striking. In Pittsburgh only 93 retailers are licensed, as against 214 last year and over 1,500 under the old law. In Allegheny but 39 licenses are granted, as against 78 last year and over 500 under low license. In Pittsburgh eleven wards are left entirely without a licensed house, though most of them are thickly populated and all had a number of applicants. In the county and city but 188 are granted altogether, as against over 500 last year and over 3,000 under low license. Only 64 wholesalers of all kinds were granted license in the entire county. The single fact that there are in a city like Pittsburgh eleven wards almost entirely without a liquor-saloon, is of itself an unanswerable argument in favor of the high-license principle as an effective agency for restricting the liquor traffic. The reduction in the total number of saloons is scarcely less convincing.

The politicians of the late New Jersey Legislature succeeded in defeating ballot-reform legislation in a way which has always been a favorite with their kind. They had a bill, which was a very good measure, passed by a large vote in the Assembly. Then in the Senate they had a very poor measure introduced as a substitute. Neither bill was allowed to become a law, and each party is now charging the other with the responsibility for the failure, while both are secretly chuckling over the way in which they got rid of enacting a law which would have seriously interfered with their business. The chief responsibility for the failure rests upon the Democrats, for they had a majority in both houses, though it was so small in the Senate that it was very easy for the Republicans to block the way of all strictly party measures. New Jersey is not the only State in which the politicians of both parties are hostile to this reform. They would defeat it everywhere if they thought they could safely oppose public sentiment, which is so strongly in its favor.

It is refreshing to read the protest filed by sixteen Republican members of the Minnesota Legislature against the passage of the Granger Meat Bill. They protest against this measure because it is antagonistic to the central idea upon which the Union is based, namely, equality of rights in all the States to the citizens of each and every State. The Meat Bill, they affirm, is a measure of protection to the industry of particular persons in Minnesota, and, therefore, an infringement of the rights of all other persons, an infringement of the right of consumers of meat in Minnesota, and of the sellers of meat in all the other States. "The free and unrestricted interchange of trade between States," they say, "the right of the citizens of one State to sell without let or hindrance the products of their farms or factories in every State of the Union, the absolute destruction of all State lines so far as commerce is concerned, is the strongest link in the chain which binds together the Federal Union. Break this link, and you have taken a long step in the direction of the dismemberment of the Union. In our judgment the effect of this act would be to take a step in that direction. Let this kind of legislation obtain in the several States, and the Republic will have passed the day and hour of its prosperity, and destruction will more certainly threaten than when the clash of resounding arms reverberated in civil conflict." Truer words were never spoken.

The passage of this bill by the Minnesota Legislature really impeaches the capacity of the people for self-government. The bill is, in the beginning, founded upon a falsehood, or a bundle of falsehoods. It assumes that dressed meat coming from other States is unwholesome, the fact being that it is more wholesome than meat eaten immediately after killing (as is usually the case) at home. It assumes that meat can be inspected to better advantage, as regards the public health, before the animal is killed than afterwards, when everybody knows that the contrary is the truth. It assumes that the price of meat to the consumer will not be increased by excluding a portion of the present supply, when everybody knows that if the price were not to be increased by it, the promoters of the bill would never have asked for its passage. It is a translation into inter-State commerce of the principles of the protective tariff, buried under a mass of lies concerning the public health. Perhaps one lie is as good as another to support the doctrine of protection, but neither the protective tariff nor the particular falsehoods which sustain it tend to dismember the Union, as this bill certainly does. Let each State follow the Minnesota example and apply it to all interchanged commodities, and the Union will come to an end, and ought to, because it will not be worth preserving. As the Federal Constitution had its origin in a convention called to promote trade between the States, it would not be an unnatural ending if it should fall to pieces when it ceases to subserve that object.

We are informed, and are satisfied, that we were in error, in our recent article on "Negro Convicts in South Carolina," in supposing that the negro in the first case cited was imprisoned for eleven years on a sentence of one year, whereas, in fact, the pardon was asked for to remove his disability to testify caused by his conviction; he having been duly discharged at the expiration of his sentence. This ground of incompetency of witnesses has been so generally abolished that such a ground for the pardon did not occur to us. We find, however, that conviction in South Carolina for certain common crimes takes away not only the right to testify, but also the right to vote. This may account for the fact that of the white men released from the Penitentiary by the Governor in 1888, all but four received full pardons, while of the negroes so discharged eight only were pardoned and twenty-eight had their sentences

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commuted, their disabilities not being in this way removed. It seems that a conviction for petit larceny renders the culprit infamous and deprives him of the rights of a freeman, and for this reason a pardon was asked for "Joe" Anderson in 1886, the trial justice who convicted him certifying to the correctness of the following facts. "Joe" was sentenced to pay a fine of two dollars, or be imprisoned for fifteen days, for stealing two turkeys. He was under fourteen years of age, and had been sent with some other children for the cows; while driving them home, a flock of turkeys got mixed up with the cows and was so scattered that two turkeys were missing. The statement of facts adds that, owing to the tender age of the children, "it is doubtful whether they realized the crime." The Governor granted the pardon, thereby releasing the child from jail, and but for this interposition "Joe" would have been for ever disqualified from testifying in any court in the State and from voting at any election.

The best thing that has happened in journalism for a long while is the increase in price of the New York Sunday papers to five cents. Nearly all of the papers have come into the arrangement, and it would be a good thing if every one would join in the movement. Five cents is not too high a price for the amount of reading-matter presented in one of these issues. Indeed, it would be a good thing if the reform went still further, and the increase in price were accompanied by a decrease in the amount of reading-matter. Nobody wants such a huge pile of stuff dumped upon him in the guise of a newspaper as is now the case on Sunday mornings. "It is as much as a man's life is worth" to try to find any particular needle in one of these great hay-mows, and the mere physical task of overhauling one of these forty-page editions makes the expression "the day of rest" a cruel mockery. We are to have higher-priced Sunday papers; now let us have smaller-sized Sunday papers. The practice of making pack-horses of the innocent and helpless purchasers is a nuisance which ought to be abated.

It is reported that the increase in price of the Sunday editions will soon be followed by an increase in the price of the dailies, and it is earnestly to be hoped that the rumor will prove well-founded. The "two-cent craze" which swept over the field of journalism a few years ago, and led even the *Tribune* to reduce its price from four cents to three, was a curse to the country. It has cheapened the quality of the press far more than its cost, and has lowered the moral tone of the public which reads these depreciated papers. A newspaper such as the New York *Tribune* or the New York *Times* should be, is richly worth four cents, and it ought to bring its value in the market. Both were much better papers in every way when they used to charge what they were worth than they have been since, and both would undoubtedly be much better than they are now if they should go back to their old price. Cheap newspapers have proved a bane to this community, and it would be cause for joy if the public could escape from the evils which they have brought in their train. The percentage of grumblers at an increase of price to a fair rate would be found very small, and any loss from this source would be far more than made up by the gain from the overwhelming majority who would welcome the change.

The rescue of the passengers and crew of the steamer *Danmark* by the *Missouri* in mid-ocean, and the safe landing of every human being on board, is a crown of glory to Capt. Murrill. Of course no sailor will allow any fellow-creature to drown if he can possibly save him; but there are degrees of skill and perseverance in such perilous undertakings, and it appears that Capt. Murrill did just the right thing in each of the several crises that he had to face. He first tried to tow the ill-fated *Danmark* to St. Johns, and, when the storm prevented him from making progress westward, he steered for the Azores. When the *Danmark* was found to be sinking, he threw overboard his deck cargo and conveyed all the passengers on board his own ship in the midst of a tumbling sea. Then a new storm came on, worse, apparently, than the one which had fought him back from St. Johns; but he outrode it and brought all the lives committed to him safely to the welcome land. Capt. Murrill's reward will be found in the lifelong gratitude of those whom he has saved from a watery grave and in the satisfaction of his own noble heart. He will, of course, receive suitable testimonials for his admirable achievement, but something should be done for those who lost all their effects in the sinking steamer.

It will be remembered that in the sharp correspondence which took place in the beginning of the Samoan trouble, between the American naval officer at Apia and the German, the latter answered every protest or remonstrance by referring the American to the German Consul, as his political superior. Prince Bismarck has put a stop to this dependence of naval officers on the Consul. Commanders of men-of-war are instructed not to use force at the direction of the Consul, unless he shows special authority from the Foreign Office, but to examine for themselves the political and military grounds on which the Consul asks for their interference. This is all very well by way of amends to the United States for what has happened in Samoa, but it is fairly open to question whether it is a good permanent division of responsibility. The officer in command of a squadron is usually an Admiral of mature age, and therefore may, as a rule, be safely intrusted with the duty of passing on nice questions of international law; but can the same thing be said of the captains of single ships, who are apt to be much fuller of fight, and to take even a larger view of the rights of their own government than any civilian? We doubt whether the situation at Samoa would have been much improved if the German Captain who wrote those tart, almost insolent, letters to Capt. Leary had been made master of it.

It is impossible to extract from the French newspapers materials for an intelligent opinion about the effect of Boulanger's flight to Belgium on his political fortunes. There seems to be as much diversity of opinion about this as about everything else connected with him. The trial is going on in his absence, and the proofs against him of plotting for a change in the form of the Government, which is an offence under the Penal Code, are said to be strong. The punishment is "deportation" to a penal colony, or imprisonment in a fortress, and he will probably be sentenced to either one or the other. But the Government will probably never try to catch him, and is much obliged to him for keeping out of the way. If he were undergoing his sentence, he would be a martyr, and agitation or intrigues for his liberation would be constantly going on. As he is now, he is a pretender somewhat like Prince Victor, or the Comte de Paris, and as such is an inconvenience, but not as great a one as when he was in Paris, because he cannot be fêted in the presence of the public. The Republicans are evidently completely bewildered as to what should be done about him, and will not recover until the elections in the fall. At the bottom of the trouble is the very unpleasant fact that a majority of the voters in nobody knows how many departments believe in him, and expect some great and beneficent change at his hands. If, therefore, his supporters should get a majority in the next Chamber, or even the balance of power between the Republicans and Royalists, no sentence that may be passed on him now would stand for an hour. He would be master of France.

Probably the last thing that was expected to grow out of the row at Birmingham between the Liberal-Unionists and the Tories was the exchange of "the lie direct" between Lord Randolph Churchill and Mr. Chamberlain. The quarrel is undoubtedly going to make a great sensation out of doors, and may affect coming "bye-elections"; but that it will have any effect on politics in the House of Commons is very unlikely. It is doubtful if any quarrel or dissension would lead the Unionists to desert the Tories in such a way as to cause dissolution and bring Mr. Gladstone in. Whatever bitter things they may say or feel, they will not throw away the labor and sufferings of the last two years and expose themselves to the vengeance of their constituencies. Mr. Chamberlain seems to be a greater enigma than Churchill because he is an abler and astuter man. That he has been wofully disappointed as to the effect of his secession on the Liberal party, is admitted on all hands; that he sacrificed himself to his convictions, hardly any one believes; and how he, as ambitious and restless as he is, is to get himself out of his present scrape, everybody is speculating. Outside Birmingham and the Tory drawing-rooms, he has no standing, but this is a situation which he will never sit down in contentedly. The Birmingham quarrel will not help him out of it.

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HENRY G. PEARSON.

THE grave ought not to be allowed to close over Henry G. Pearson, the late Postmaster of New York, without a warm tribute to his memory from those who think the nation needs the services of faithful, upright, and loyal men such as he was. It is not the fault of his friends if any such tribute is more or less tinged with invective. Not only did he die the victim of persecution, but he was persecuted because he did his duty, and no one can honor him now without saying some bitter words of those who are responsible for his failure. He occupied during the last four years of his life a position for which there is, we think, no parallel to be found in any other civilized country—the position of a public servant whose ruin is desired by the managers of both parties, simply on account of his fidelity and efficiency. He literally had no party friends; and the reason he had no party friends was, that he tried to administer his office in the best manner. He was put in his place by President Garfield because he was of all men in the country the fittest to fill it. He was retained in it by President Cleveland partly for the same excellent reason, and partly from a desire to gratify the Mugwumps, who had furnished a sensible portion of the force which won the Democratic victory in 1884. But no sooner was he left in it than he became the object of hatred to all the working politicians on both sides. The Democrats hated him because he was keeping them out of an office which they had for half a century considered and treated as among the *spolia opima* of party warfare. He was hated by the Republicans for allowing himself to be made a standing proof and illustration of the sincerity of Cleveland's reform professions. The *Tribune*, the Republican organ, commented on his reappointment in terms of warm praise on the 1st of April, 1885. It said:

"The reappointment of Postmaster Pearson gives general satisfaction to those citizens who care for efficiency in that branch of the public service here. It satisfies the public, because it is a good thing in itself; because Mr. Pearson is one of many Republican officials who have proved so conspicuously fit that their removal, on whatever ground, and irrespective of the personal merit of any who may be selected in their stead, would be a positive detriment to the public service. Such an appointment is, of course, to be commended most heartily as a good thing in itself. . . . In itself this appointment is admirable. . . . Mr. Pearson's unquestioned and superior fitness renders his retention in office the clear duty of a President who means to improve and not to degrade the public service."

That this was a thoughtless expression, uttered without consultation with the managers, is made probable by the fact that, during the trying years which followed, when Pearson was being literally tortured to death at his post by politicians, it never said another word of encouragement or support. He was literally given up to the party hounds by common consent. He was left to struggle with a force which is now declared, after an examination by Mr. James, the ex-Postmaster-General, 20 per cent. below what it should be, although the Treasury was so full that Congress was playing ducks and drakes with the money. Discontent and mutiny were fomented among his subordinates both by the Knights of Labor and the local politicians. Neither support nor sympathy nor encouragement did he receive from either Postmaster-General Vilas or his successor, Mr. Dickinson. He was not the kind of postmaster they most needed, because he brought out the defects of Jones and Harrity in horrid relief. So he was left to struggle and perish, in full view of the Christian public of this city, without a word of cheer for him or a word of rebuke for his enemies.

We say "Christian public," because there has been a great deal of religion introduced into the last two canvasses for the benefit of this candidate and the confusion of that candidate, but without much profit for the cause of honest government. We want honest government now to profit by it in some degree. When we heard of Gen. Harrison's excellent standing in his church and Sunday-school, and John Wanamaker's excellent standing in his church and Sunday-school, we attached a good deal of importance to the following passage in Gen. Harrison's letter of acceptance:

"In appointments to every grade and department, fitness and not party service should be the essential and discriminating test, and fidelity and efficiency the only sure tenure of office. Only the interest of the public service should suggest removals from office."

We said to ourselves on reading this: "This undoubtedly means either that Pearson will be retained, or that his subordinate next in rank and experience will be, as he was, promoted to the first place. Gen. Harrison is an honest man and good Christian, and undoubtedly wishes us to understand that the New York Post-office will continue to be managed as Pearson managed it, either by Pearson or by another man of the same kind." It appears now that he had no such plan; that when he said this, he was not talking as an honest man to honest men; that he meant to dismiss Pearson all along. He might possibly have found an excuse for dismissing Pearson in the state of Pearson's health, but this reason was never mentioned, because it would have left the public still to expect the promotion of a subordinate. So he was dismissed simply on the hog theory, that "he had had enough," and an expectant politician who knew nothing of post-offices, except as political spoils, was put in his place. Moreover, the *Tribune* was directed, or permitted, by way of excusing this disreputable transaction, to calumniate the outgoing officer in the following really felonious utterance:

"It is a fact that the New York Post-office has declined in efficiency since 1885, and has not for years been in so unsatisfactory a condition as during the year 1888."

Of course it was a cruel and brutal falsehood, and was probably invented as the best apology at hand for Van Cott's appointment. As soon, however, as it became known that Pearson was seriously ill, it was thrown aside, and on the day of his death the following was put out:

"The death of Postmaster Pearson will be received with universal regret. His entire life since boyhood had been passed in the public service, to which he gave himself with an unselfish devotion and concentration that were truly remarkable. There was never any room for question of Mr. Pearson's great zeal and energy and his exceptional mastery of the postal business. His work was a passion, and he seems to have sacrificed everything to it. Such devotion to duty is rare in a public servant, and he deserves the public gratitude. It should be added that his death demonstrates the necessity of making the appointment for which the President has been so savagely assailed. A near relative of Mr. Pearson stated some weeks before his term expired that he could not live three months. Some of the very newspapers which attacked the President with the greatest bitterness, now admit that Mr. Pearson's malady was known to be of a fatal character as long ago as February. A Government cannot permit itself the luxury of sympathy in such a situation. A great bureau like the New York Post-office could not be exposed to the risks this implied. It must be obvious now to all that the reappointment of Mr. Pearson was an impossibility."

It is difficult to characterize this afterthought in the terms it deserves, but it hardly needs characterization. We have gone over the transaction with this minuteness because it constitutes the best illustration we could provide of the value of Mr. Pearson's life, and of the diabolical nature of the system to which he has fallen a victim. His remark on his death-bed, referring to the discontent stirred up among his subordinates, that "he had spent his life fighting the spoils system, and that it grieved him to know that those for whom he had fought had misunderstood him," was literally true. He not only spent his life fighting the spoils system, but the spoils system killed him finally. The service of the Government ought to be full of men of his type. It ought to be the place in which able administrators and loyal and patriotic men could show their devotion, and exhibit to the youth of the country a shining example of business virtues. But it is nothing of the kind. It is a gambling-house, conducted with gambler's morality and for gambler's ends, to the shame and scandal of everybody who believes that a nation has a conscience and ought to use it.

A POSSIBLE SOLUTION OF THE SPOILS PROBLEM.

THE now generally admitted failure of President Harrison, in spite of his promises, and in spite of the solemn pledges of his party, to make any stand against the prostitution of the public service for party purposes, will satisfy a great many people that nothing is to be hoped for in this matter from any President. They will say that after the shortcomings of Grant, Hayes, Garfield, Cleveland, and Harrison, all of whom were pledged to do their utmost to prevent the offices from being treated as "spoils," there is little use in expecting the necessary degree of firmness from any of their successors, at least until the Constitution can be amended so as to forbid reëlection. But although there is a sensible growth of public opinion in favor of such an amendment, its adoption must, under the most favorable circumstances, be a long way off. In the meantime, what is to be done? Is there no way of *early* escape from the quadrennial repetition of the degrading and disheartening spectacle which we are now witnessing, which makes every

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intelligent American blush for the religion, morality, and politics of the country?

We venture to suggest a possible solution of the difficulty, in the shape of what we may call the purchase of the offices by the Government from the politicians. Fantastic as it may seem at first sight, it will be found on examination to have few, if any, weak points. It is not a new mode of deliverance from the spoils system, any more than the spoils system itself is new. Every modern State has passed or is passing through a political stage in which the Government offices were claimed as property by some class whose interests were opposed to those of the public. In France, before the Revolution, nearly all offices, including the judicial offices, were the property of individuals, and vendible as such—that is, individuals had a recognized legal or customary right to hold them, without regard to the manner in which the duties attached to them were discharged; but in every case that we can recall, the system was defended on the ground that, however objectionable in theory, it "worked well in practice"; that the incumbents were on the whole competent and well behaved.

The nearest and latest analogy to our own trouble is to be found in the venality of commissions in the English Army which Mr. Gladstone abolished in 1870. For nearly two centuries the right to command in the regular army, from the grade of ensign up to that of colonel, had been bought and sold, not exactly, but very nearly, as merchandise. It had been vigorously denounced for seventy years when Mr. Gladstone attacked it, but was defended on the ground on which our spoils system is defended—that it was English, was long established, and "worked well," witness all the battles the army had won under it over the French, for instance, who had tried to get along without it. This defence was so strong that it was impossible to get through the House of Lords a bill buying the commissions back from the officers at their market value, and Mr. Gladstone had finally to bring prerogative into play, and compel every officer, by "royal warrant," to surrender the right to sell his commission to anybody but the Government. It cost £8,000,000, or $40,000,000, to buy back for the nation the right to officer its own army in its own way, and this not in China or Japan, but in England, and not in the fourteenth century, but twenty years ago.

Our trouble is very similar. Through a custom which in fifty years has come to have the force of law, the right to fill the salaried offices of the Government belongs to the men who manage the nominating and electioneering machinery of the party which wins at the polls, without reference to their fitness for the duties. The system is defended on four grounds: (1) that it is, whether good or bad, now so rooted in our political manners that it cannot be changed; (2) that if it does not provide an ideal civil service, it provides one which is good enough and satisfies the people; (3) that our party organizations could not be kept going without it, inasmuch as parties need managers and workers, and managers would not manage or workers work, if victory brought no substantial rewards in the way of salaries; (4) that politics in every free country needs the attention of a class which can give their whole time to it, and this class our spoils system supplies.

Now, the plan we suggest meets every one of these arguments. It consists simply in the duplication of every salaried office in the civil service, distinguishing the second one as "Political." For instance, we would have a Collector and a Political Collector, a Postmaster and a Political Postmaster, an Appraiser and a Political Appraiser, a Consul to Hong Kong and a Political Consul to Hong Kong. The emoluments of each would be exactly the same, but to the political place no official duties would be attached. The incumbent would have all his time at his disposal for the service of the party. The salary would give him all the reward he now seeks or gets for his work in the Convention or in the canvass. The Political Consul, for instance, instead of having to go abroad, would be able to stay at home. The Political Collector or Appraiser would be able to continue to live in his inland city instead of taking up his abode in a seaport. Though last not least, there would be no objection whatever to the distribution of these political offices through members of Congress or local Bosses. They would, after the election, be handed over to the party managers, without let or hindrance, to do with them whatever the party needed. The President and the heads of departments would be delivered from all "pressure," and the office-seekers from the necessity of going to Washington to beg.

The President and the members of the Cabinet could then distribute the other offices on the ordinary business principles. There would be no more clamor for the removal of competent persons than there is in a banking house or a wholesale grocery. The Treasury and custom-houses and post-offices could be manned by properly equipped men, of whose experience as they grew older the Government would get the benefit. When a new Administration came in, there would be no "guillotine" set up, and few or no vacancies to fill, and no new "policy" to carry out in sorting letters or casting up accounts. Each President would follow the same rules of arithmetic and obey the same laws of morality as his predecessors. The public would enjoy peace and quiet, and the newspapers be delivered from prolonged discussion of the morals and manners of a host of shady adventurers eager to take charge of the national affairs.

But what would this cost? Well, a mere trifle for a country with resources like ours, namely, about $40,000,000 per annum. We can afford this without even feeling it. We should get in return for it not only greatly increased economy and efficiency in the administration of the Government, not only deliverance from what the Republican platform calls "the danger to free institutions which lurks in the power of official patronage," but also deliverance from the very corrupting spectacle which nearly every change of Administration now offers, of religious men descending to the tricks and subterfuges of the card-sharper and confidence man.

COURTS AND CUSTOMS.

It is plain to see in what is going on in the custom-houses and in the Treasury Department that taxation reform has taken on a new phase. A bill reported during the last Congress by Mr. Allison's Committee, and adopted by the Senate, leaves no doubt that protectionists intend that hereafter the Executive shall be free to put any interpretation it pleases on tax laws, and especially on customs laws. It is true that no legislation can take away from importers the right to maintain pending suits and prosecute them to final judgment, but it is in the power of Congress to say that thereafter, in the interpretation of a tax law, the Executive shall not, excepting where suits have been begun, be subject to the judicial power. If the next Republican Congress shall push through such legislation, the protectionists will have their own way so long as they can, as now, control the Executive, and Congress can be kept quiet. The protectionists will say their legislation is intended to prevent scandalous and improper custom-house refunds. They forget or fail to see that such suggestions of scandal and impropriety are an arraignment of the Federal circuit judges and of the Supreme Court, on whose decisions the refunds are made. The real object of the protectionists has been, and is, to prevent interference with their schemes either by jurors or judges

Such legislation as the Senate adopted, on the report from the Allison Committee, could not have been possible had not Republican Senators lost sight of the rules and maxims which we inherited from England for the protection of the citizen against the levy of taxes not imposed either by Parliament, or Congress, or any law-making power. Those salutary rules for the protection of the citizen and his property were vigorously applied when the tariff law of 1833 had made such an overturning of previous legislation. One of the earliest expositions and applications of them was made in 1838, by a magistrate who cannot be classified as a free-trader. In the case of Adams vs. George Bancroft, then Collector of the Port of Boston, which presented a question touching the rate of duty of French silk gloves, Mr. Justice Story told the jury: "Laws imposing duties should never be stretched beyond the natural import of the language. Duties are never imposed upon citizens upon doubtful interpretations, for every duty imposes a burden on the public at large, and is construed strictly, and must be made out in a clear and determinate manner from the language of the statute." The suit of Hoyt vs. Hall, tried in New York in 1840 before Judge Betts, related to the rate of duty on merino shirts, and that excellent magistrate charged the jury in these words: "If, then, these articles might be indifferently placed under either class, and are known in trade as well by the one name as the other, then they are to be subjected to the lesser

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duty; because if the description by which the impost is laid is ambiguous, or susceptible of two interpretations equally conformable to its general import, that one is to be adopted which is least burdensome to individuals. It is not to be supposed that Congress designed to impose the higher rate of duty where a different one may apply to the same subject, unless Congress expressed that intent by plain and definite language." Attorney-General Butler reported to President Van Buren that he had no exception to make to that language.

Over twenty years later Mr. Justice Nelson, having to instruct the jury in regard to the rate of duty on Peruvian bark, said: "In case of serious ambiguity in the language of the act, or doubtful classification of articles, the construction is to be in favor of the importer, as duties are never imposed on the citizen upon vague or doubtful interpretations." Ten years afterwards, in 1873, a question under the Internal Revenue Law, concerning the taxation of dividends declared and payable by railroad companies during the last five months of 1870, came before Federal Judge McKenna. He said: "When there are doubts concerning the meaning of a tax law, such doubts must be resolved in favor of the citizen. The exercise of the power of taxation is not to be affirmed upon conjectural or arbitrary inferences. No burden is to be taken as imposed upon the citizen which the Government has not clearly made it his duty to assume, nor can any portion of his property be exacted for any purpose except in pursuing an unambiguous mandate. Whatever degree of liberality, therefore, may be allowable in the construction of statutes relating to the revenue of the Government, there is neither reason nor justice in expanding them, by a strain upon the ordinary import of their words, to give effect to a hypothetical legislative intention." We commend that teaching to the attention of Naval-Officer Burt.

In 1873 the Supreme Court of the United States, having before it a question arising under the Internal-Revenue Law, said: "If there is a doubt as to the liability of an instrument to taxation, the construction is in favor of the exemption, because, in the language of Pollock in Girr vs. Scudds" (an English case), "A tax cannot be imposed without clear and express words for that purpose. These principles are based in good sense, and are sustained by the authorities." In view of a tendency to disregard these salutary rules, the Supreme Court has recently felt called upon to reaffirm them. Its conclusions were announced on May 2, 1887, in this language: "We are of opinion that the decision of the Circuit Court was correct. But, if the question were one of doubt, the doubt would be resolved in favor of the importer, *as duties are never imposed on the citizen upon vague or doubtful interpretations.*"

The significance of that language is in the fact that Secretary Manning, in his report to Congress of December 7, 1885, on "The Collection of Duties," had carefully considered the whole subject. He referred to the utterances of the Federal judges prior to 1885 as "conformable to the spirit of our institutions and to the feelings of the people from whom money is taken by taxes," and added: "In respect to all the decisions, and the principles of the decisions, which have been heretofore made by my predecessors in respect to classification and rates of duties, which decisions are now pending in the courts, I shall in no way interfere excepting to take care, so far as I can, that the defence to be interposed by the several district attorneys shall be thorough and adequate. Those suits have passed out of Executive determination, and are substantially in the hands, so far as the Executive is concerned, of the Department of Justice and of the courts." But he distinctly declared that, in respect to all *new* questions, as they may arise, touching rates of duty, he should, "until otherwise directed by superior authority," require the decisions of the Treasury Department to conform to the rules prescribed by Story and Nelson. That was a sound and beneficent measure of tariff reform, enforced by Secretary Manning so long as he controlled the Treasury Department; but, after his death, not only was the mandate of the courts disregarded in this particular, but its decisions were openly defied, under the pretence of efforts to be made to persuade the court to reverse its own decisions in the interests of protection. In one or two instances, and notably in the case of knit-goods, the efforts were made, and, the Court having refused to stultify itself, the protectionists thereupon set on foot in the Senate a scheme to exclude the courts altogether from interfering with the doings of the Treasury in the interpretation and enforcement of tax laws.

NEGRO CONVICTS IN SOUTH CAROLINA.

We return to this subject on account of one or two protests received from Southern correspondents who think we have misrepresented or misunderstood the attitude of the whites in South Carolina towards negroes accused of crime. For a clearer understanding of the matter, we add a few cases from the Governors' reports of recent years, selecting such as give trustworthy statements in the words of the Governor, or of those actually participating in the trials.

Griffin De Laigle, a negro, who is described as "a stranger without money, friends, or influence," was sentenced to be hanged for murder by Judge Hudson at Beaufort in June, 1887. The homicide for which he was arraigned was committed on board an excursion steamer on the way from Savannah to Beaufort, and he was forced to trial without a single witness, and "with only his unsupported statement as his defence, which, if it had been believed, must have caused the trial to result either in a verdict of manslaughter or of acquittal." After the trial, affidavits were obtained from Savannah disclosing a case of self-defence, and the Governor, on examining them, says: "If the statements contained in these affidavits are true and could have been presented to the jury, the result of the case would probably have been different. It is especially to be remembered," he adds, "that the prisoner was a stranger without friends, and unable to employ counsel, and too poor to pay for the attendance of witnesses." He dwells upon the fact that the State had no method of compelling the attendance of witnesses from Savannah; and, feeling that circumstances warranted action on his part, he commuted the sentence to imprisonment for life at hard labor. We regret that we do not have all the papers in the case, as it seems at least likely that the offence was committed on "the high seas," in which case the United States Court alone had jurisdiction; but as the negro was too poor to employ counsel, it is probable that this point was not raised. Further, the Statutes of South Carolina (sections 835 and 2638) give accused persons the same right to detain and compel the attendance of witnesses that is given to the State; yet here the witnesses against the prisoner were detained, while those in his defence were allowed to return to Savannah. This again shows the disadvantage of being a negro without money, friends, or influence. At any rate, as the Governor states the case, a man probably innocent is imprisoned for life without an opportunity to prove his innocence.

A second case is that of Cæsar White, sentenced to be hanged for murder by the same judge, at the same term of court. The Judge reports that to his surprise the defendant's counsel offered no testimony, not even that of the prisoner. He refused to grant a new trial, and has "no recommendation to make." The Governor, with the Attorney-General, examines the evidence, and reports that, "after a very careful examination of the case, I have come to the conclusion that there is sufficient doubt, from the very nature of the evidence, it being wholly circumstantial and far from conclusive, to make it my duty to commute the sentence to imprisonment for life at hard labor"; and then follows the astounding statement that "there was no eye-witness of the murder, and the chief circumstance against the defendant appears to have been the presence of mule tracks, supposed to have been made by the mule of the defendant, near where the body of the deceased was found. In my view of the testimony, I have felt it to be the only safe course to commute the sentence as above indicated." This case adds a new terror to mules.

In other parts of this Union a Governor in such cases as these two would feel legally bound to issue full pardons; but Gov. Richardson finds imprisonment for life the limit of his clemency, although the fact that he has interfered in behalf of one-ninth of all the convicts in the Penitentiary in a single year shows that he is at least mercifully inclined. The reason for this difference we are left to conjecture, but we are inclined to think that the Governor is acting in deference to a strong public sentiment. We are confirmed in this view by the confident way in which juries appeal to the Governor to assist them in imposing life sentences on negroes. Thus, in the case of John Green, sentenced to be hanged for murder in June, 1888, "The petition is from

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the jury that tried the case, and states that they brought in a verdict of guilty, with a recommendation to mercy, . . . in the firm expectation that the Governor would commute the death sentence to imprisonment for life"; and the Judge, strange to say, joins in this remarkable petition. The Governor misses his opportunity to put a stop to this sort of legal travesty, and makes the commutation as requested.

A still more outrageous case occurred in Charleston in February, 1887, where a negro was sentenced to be hanged for murder. The jury assure the Governor that, "We are of the opinion that the evidence, though of considerable weight, was of such a character as to create a doubt in our minds as to the justice of inflicting the death penalty; the verdict 'Guilty, with a recommendation to mercy,' was the result of a compromise, some being in favor of manslaughter and one in favor of acquittal. The recommendation was thought proper, the jurors being of the opinion that it was a certain mode by which the prisoner could escape death, . . . and the witnesses against the accused were of such a character as to force us to believe that the benefit of every reasonable doubt should go in favor of Marcus Horlbeck." The legal enormity of this case can hardly be described. A jury, sworn to try the prisoner according to the law and the evidence, deliberately plots to secure the imprisonment for life of a man of whose guilt they have grave doubts; and Judge Hudson lends himself to this scheme by writing to the Governor, "I really think this is a case in which the recommendation of the jury should be respected and the sentence be commuted to life imprisonment," and the Governor complies. It is an elementary principle of criminal law, which it is inconceivable that the Judge did not impress upon the jury, that unless the jurors are convinced beyond a reasonable doubt of the guilt of the prisoner, a verdict of acquittal must be rendered; and, above all, in a capital case, the prisoner is entitled to the benefit of every reasonable doubt. The plain duty of the Judge, on learning of this extraordinary juggling with human life, was to set the verdict aside and order a new trial.

This inability of Judge and Governor to administer the law in the face of public opinion is further shown in the case of Richard Davis, sentenced to be hanged for murder in 1885. Judge Kershaw writes that "the defendant was under fourteen years old, and seems to have had very little, if any, mental or moral training, and the jury, for these reasons no doubt, recommended him to mercy. I think the recommendation of the jury well founded, and do not hesitate to say that in my judgment the ends of public justice would not be met by the execution of a boy so young and lacking in intelligence that he fails to understand the crime committed"; and he recommends the commutation of the sentence to imprisonment for life. The law, however, goes further than Judge Kershaw, and forbids the imposition of any punishment on a child so lacking in intelligence as not to understand the crime committed; but the Governor agreed with the Judge, and another legally innocent person is imprisoned for life.

These cases show—and they do not stand alone—that South Carolina juries convict negroes where legal proof of guilt is confessedly wanting, and judges and Governor support them in such disregard of all rules of law. They shrink from the consequences of their acts when they are to take life, but they do not shrink from imprisoning innocent men for life. The reason for this our South Carolina friends can help us to give, but the evidence indicates that public sentiment demands that a negro who has the misfortune to be suspected of crime, shall be shut up until the suspicion is forgotten and somebody asks the Governor to let him out.

A WEST-EASTERLY COMMEMORATION AT JOHNS HOPKINS.

BALTIMORE, April 20, 1889.

THE *Nation* for December 20, 1888, in an editorial which spoke of Johns Hopkins University as "one of the most potent of the intellectual forces of this country," used these significant words: "But the service which Johns Hopkins University has done to the advancement of learning in America cannot be measured by the instruction that has been given within its own walls and the researches which have been carried on by its members." That the Johns Hopkins University epitomizes in its policy and attitude towards every forward intellectual or political movement of the day the most virile spirit of the American mind, has been strikingly shown this week by a notable meeting held in Hopkins Hall on the evening of Wednesday, April 17. The invitation to this gathering read as follows:

"JOHNS HOPKINS UNIVERSITY
COMMEMORATION OF THE PROMULGATION OF THE CONSTITUTION OF JAPAN.

"You are respectfully invited to be present at an assembly of members of this University interested in Political Science, which will be held in Hopkins Hall, Wednesday evening, April 17th, 1889, at eight o'clock, to commemorate the promulgation of the written Constitution of the Empire of Japan.

"D. C. GILMAN, President."

The platform was artistically decorated with the flags of Japan and the United States, draped over a large emblazoned shield of the University, with its stirring motto, "The Truth shall make you free!" while in front of this effective background were grouped masses of the pyrus japonica, flowering peach, yellow broom plant, wild cherry, and magnolias—all blossoms with whose decorative value the Japanese have made us familiar. The Chairman of the evening was T. M. Cooley, LL.D., late Chief Justice of Michigan, now an active member of the Inter-State Commerce Commission. On the stage with him were, besides the trustees and leading professors of the University, and the Japanese post-graduate students, the Mayor of Baltimore and members of the Japanese Embassy, who had come from Washington to take part in this first public recognition, by any leading seat of learning, of the importance of the promulgation of a document aptly called the Magna Charta of Japan.

President Gilman stated briefly that the celebration had been suggested by the receipt of a double set of official copies of the Proclamation, the Constitution, laws, etc., one set coming from Mr. Mutsu, the Japanese Minister to the United States, the other from Mr. Mitsukuri, Ph.D., a graduate of the University, now Professor of Chemistry in Tokio, Japan. There was a special appropriateness in holding this commemorative meeting in Baltimore, as the Political Science Department of the Johns Hopkins had taken a deep interest in the events which had led up to this unique grant of constitutional rights—an interest that had been intensified by agreeable personal associations with some very able graduates and students, who had won, or were now winning, honorable distinction in the University "by their talents, their industry, and their fidelity." He then called on a "special student," Mr. Kikujiro Saigo, attaché of the Japanese Legation at Washington, who is a nephew of Count Saigo Tsukumichi, Minister of State for the Navy, and one of the countersigners of the Constitution, to read the names of the Japanese who had been at the University or were now there.

Judge Cooley was then introduced as chairman, and the formal programme began. "When the political institutions of any people are under consideration, the question must be whether they are in accordance with the life of that people. The successful government must be that in which the people have the share for which they are fitted." In this opening sentence of his brief address Judge Cooley gave the keynote of the spirit in which our study of new Japan should be undertaken, and, from his standpoint of a constitutional lawyer, indicated the lines on which alone permanent and healthy political growth can be expected. That this foreign comment was matched by the native point of view expressed in the speech of Mr. Iyénaga shows that much current criticism on the subject of Japanese fickleness and unseemly haste to adopt Western habits and ideas is founded in ignorance, and ignorance not only of Japanese, but of universal political history.

The Japanese Minister was to have read the Emperor's speech at the proclamation, in his own language, but a cold interfered with his doing so, and instead his Secretary of Legation, Mr. A. Sato, Ph.D., read it in English, as follows:

"Whereas, We make it the joy and glory of Our heart to behold the prosperity of Our country and the welfare of Our subjects. We do hereby, in virtue of the supreme power We inherit from our Imperial Ancestors, promulgate the present immutable fundamental law, for the sake of Our present subjects and their descendants. The Imperial Founder of Our House and Our other Imperial Ancestors, by the help and support of the forefathers of Our Subjects, laid the foundations of Our Empire upon a basis which is to last for ever. That this brilliant achievement embellishes the Annals of Our Country, is due to the glorious virtues of Our Sacred Imperial Ancestors, and to the loyalty and bravery of Our Subjects, their love of their Country and their public spirit. Considering that Our subjects are the descendants of the loyal and good subjects of Our Imperial Ancestors, We doubt not but that Our subjects will be guided by Our views, and will sympathize with all Our endeavors, and that, harmoniously coöperating together, they will share with Us Our hope of making manifest the glory of Our Country, both at home and abroad, and of securing for ever the stability of the work bequeathed to Us by Our Imperial Ancestors."

Extracts from the most important sections of the Constitution were given, with running comments by Professor A. B. Small; but as the *Nation* has already reviewed this document, we will pass on to the *pièce de résistance* of the evening, a paper on "The Changes in the Political Life of Japan," by Mr. S. Iyénaga of Tanagawa, Japan, a Ph.B. of Oberlin College, where he led his class in oratory and composition, now a candidate for the degree of Doctor of Philosophy in the Johns Hopkins University. This paper will soon be accessible to all interested in Japanese progress, through a Johns Hopkins University publication. We think that those who read it will feel hopeful of the work to be accomplished by the Diet whose

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first session will be held in 1890. Speaking slowly and deliberately, so as to give clear utterance to a language not his own, though handled with a terseness and idiomatic ease that much older native-born students of the University might envy, Mr. Iyénaga rapidly outlined the historic causes which had produced the written Japanese Constitution promulgated in February, 1889, twenty-one years after the revolution of 1868, when the shell of feudalism crumbled into ashes. He pointed out the importance of this action of the Emperor, not only for Japan, but for Asia:

"This is the first birth of Liberty on Asiatic soil. Well may Japan rejoice in being the first-born of Liberty in the East. Well may the Emperor be gratified by the gladdened shouts of his subjects and the blessings of their descendants echoed back from future generations of free and happy subjects. . . . Many ask, 'How can Japan, with a government fixed for centuries, suddenly in a day change absolutism into constitutionalism?' No people can do this. Japan has not done so. Our new Constitution is not the patchwork of a few clever minds infected by Western ideas: *it is the outgrowth of our national life and thought.*"

Mr. Iyénaga went on to explain that it is the result of the efforts of earnest, patriotic men for two generations and more, the result of education, both academic and practical, of experiment and investigation, of adaptation and reorganization; but above all, that it is a proof of the power of the ideal, of the force of ideas in national life and thought. Although it took its first definite form when the royal party, having triumphed at Fushimi, Uyeno, and Hakodate, abolished the Shogunate, that usurping sham of illegal authority, the seeds for its development had been planted by teachers like Fukuzawa. The advent of the American, the Englishman, and the Dutchman had shown thoughtful Japanese that the outside world held lessons for them. They learned those lessons not from fear, nor from policy, nor from greed, but, as all noble natures absorb truth, because they have an affinity for it. The spirit of liberty entered in and took possession of the leaders of the people—leaders, most of them, who had made their way to the front by fidelity, hard study, toil, and patriotism. "Liberty, equality, and fraternity" was their watchword, but it taught them to preserve, to reform, to create, as well as to destroy. A monarchy which had existed for centuries, and had been facile, but never cruel, needed only to be made constitutional, not pronounced criminal. Reason, not anarchy, ruled the counsels of the Emperor Mutzuhito, and the advisers of the young Emperor aimed to educate both people and ruler to let justice and public opinion be their guides.

The new Government, having established itself at Tokio, made friendly treaties with foreign Powers, abolished feudalism, declared all classes equal before the law, so encouraged the growth and freedom of the press that in a few years the circulation of newspapers has increased 40 per cent., applied themselves to the construction of railroads, telegraphs, and docks, organized a postal system modelled on that of the United States, created and equipped universities, colleges, technical schools, and a public-school system for the whole people. "None were debarred from aspiring to places of honor, and in the democracy of letters; a sentiment was growing that the son of a Daimio was not necessarily better than the son of a peasant. The day of reason and peace had dawned."

In 1878, as a work of preparation for a national assembly, local assemblies were formed, and it is probable that the Imperial Parliament which meets next year will be composed largely of men trained to public affairs in these provincial bodies.

"That Japan of to-day should be ruled by the absolute power of one man is just as impossible as that England of to-day should be ruled by Stuart despotism. A great work lies before Japan, a work important not only to her, but to Asia, amid whose teeming populations she is the vanguard of all that is best in modern civilization. Our prayer is, that Japan may prove herself worthy to be the leader of Oriental nations in a new era, and our faith is equal to our hope. I am proud of having been born a citizen of Japan, and to be a student of Johns Hopkins University, whose fame, encircling the earth, has reached the land of the rising sun."

Prof. Adams read portions of a letter from Dr. Woodrow Wilson, author of 'Congressional Government,' explaining that while the constitutional ideas common to all political growth of this century had entered into Japan's new constitutional law, her statesmen had drawn details more largely from the German Constitution than from that of any other people, Germany's organic law being more acceptable to the citizens of a monarchy where the divine ancestry of the Mikado is still an article of faith, or at least of sentiment, with the mass of the people. Letters were also read or reported from Rear-Admiral Balch, U. S. N., who accompanied the Perry Expedition to Japan; from Chief-Justice Fuller, Dr. David Murray of Albany, N. Y., formerly Superintendent of Educational Affairs in Japan; from President Angell, lately United States Minister to China; Hon. Carl Schurz, Cardinal Gibbons, Dr. William Elliot Griffis, author of the 'Mikado's Empire,' etc.; from Hon. John W. Andrews, LL.D., of Ohio, President Gates of Rutgers College, and others. An extract from Dr. Griffis's letter gives a bit of chronology:

"It is interesting to Americans to know that the imperial oath was taken and the Constitution promulgated to a day, and almost to the exact hour, thirty-five years after the treaty ships of Commodore Perry were sighted by the watchers on the hills of Iozu; and that the Emperor Mutzuhito, the 123d Mikado, who granted this Magna Charta of Japanese liberty, was born November 3, 1852, on the day that Matthew Calbraith Perry was all ready to sail to Japan, though the delay of one of his vessels kept him on our coast until the baby in Kioto was three weeks old."

If not claiming too much space, I should like to close this record of a very delightful gathering with some portions of a letter, too long to be read at the meeting itself, from Mr. Charles Lanman, on the services of Viscount Arinori Mori, to whom Mr. Lanman was at one time secretary. Mori was a typical Japanese of the new intellectual era, for the lesson in political science so graciously presented by Johns Hopkins University will lose its chief force if we fail to see that the political changes in Japan are the mere outward and visible sign of a national intellectual and moral development, largely due to the noble, earnest, and patriotic teachings of such propagandists as Mabuchi, Hirata, Saigo, Katsu, and Mori. Verily, a remnant shall save a people:

"Arinori Mori was born in the province of Satsuma in 1846, and as a boy enjoyed all the advantages pertaining to the retainers of the local Daimios. He was one of the first of those students sent abroad to be educated, and he spent two years in England. During the rebellion in Japan which culminated in the restoration of the Mikado to power, his sympathies were with the progressive party, and it was not long before he became a member of the newly organized national legislature, so called, and in which, notwithstanding his age, he made a decided impression. . . .

"Mori was also the first Japanese who, under the restoration, was appointed to a foreign mission, and in March, 1871, while bearing the title of Jugoi, he presented his credentials at Washington as Chargé d'Affaires, where he remained two years. . . . Not only did he perform his diplomatic duties, but he was obliged to exercise a kind of supervision over the large number of Japanese students then in this country, and especially over five young ladies who came over here to be educated. In one sense, moreover, he had charge of all the arrangements and ceremonies connected with the advent and the sojourn in this country of the Iwakura Embassy. . . . In the meantime, but more in a private capacity than as a Minister, Mr. Mori greatly interested himself in the cause of education, and caused the publication, for the benefit of his countrymen, of a work on 'The Resources of America' (prepared by the present writer), and another by himself on 'Education in Japan.' . . . He also published, among others, a pamphlet on 'Religious Freedom in Japan.'

"One of the incidents illustrating his positive methods as a public man was to this effect: When Yoshida Kiyonari (his successor in Washington) came to this country to negotiate a loan connected with the Satsuma rebellion, Mr. Mori opposed the whole scheme, and not only blocked the financial arrangements, but wrote and forwarded to the Government his reasons in a despatch, wherein he condemned the policy of a loan for such a purpose, and he was triumphant. . . . For a brief period after reaching home he took no part in public affairs. . . . In 1874 he entered the Office of Foreign Affairs as first secretary. His next position was that of second assistant minister. He afterwards went to China as Minister Plenipotentiary, on his return home was made the first Assistant Minister of Foreign Affairs, and in 1879 was accredited Minister Plenipotentiary to Great Britain; for several years before his death he held the congenial position of Minister of Education.

"Prominent as was Viscount Mori's career as an Oriental scholar and statesman, the story of his assassination will pass into history without a parallel. On the morning of February 11, 1889, when he was dressing himself to wait upon the Emperor and take part in the great celebration attending the promulgation of the new Constitution of the Empire, an unknown man called upon him and asked for an interview, . . '. stating that a plot had been designed to take the life of the Viscount, and that he wished to communicate the particulars. The request was refused, however, but . . . while walking to his carriage the assassin made an attack on the Minister by stabbing him with a common table-knife. . . . The Viscount only survived a few hours. It was the high character and advanced teachings of this man Mori which tended to make possible the new Constitution, and, with that idea and his career in view, it would seem as if he had died the death of a martyr. On the body of the murderer was found a paper revealing the fact that the murder was intended to punish the Minister for an alleged sacrilege he had once committed at the shrine of Isé, when he refused to remove his shoes, according to custom, and took the liberty of pushing aside a certain sacred curtain. This conduct greatly enraged the attending priest within the shrine, and it was his son, as reported, who committed the murder, by way of protecting the rights of the gods and the imperial family according to the Shinto religion, and to avoid the calamity of losing the protection of the guardian spirits of the nation upon the change to a new form of government. The tragedy was universally regretted, and threw a gloom over the pending celebration which can never be forgotten."

At the end of the exercises in Hopkins Hall, the audience were invited to the library of the University, to take a cup of genuine Japanese tea, steeped by Mr. Sato, the Secretary of Legation.

C. B.

THE LATEST EXCAVATIONS IN GREECE.

CHALCIS, March 22, 1889.

I HAVE this morning left Anthedon, where the American School of Classical Studies at Athens has been carrying on excavations under the superintendence of Mr. J. C. Rolfe, a graduate of Harvard, '81, and a son of the well-known Shaksperian scholar. The work is drawing to a close, and readers of the *Nation* may be interested in a brief account of the results of the excavations.

"There is a certain Anthedon, by the sea-

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shore, opposite Eubœa, near the streams of the Euripus; thence am I by birth," says the fisher-deity Glaucus, in an author quoted by Athenæus. Pausanias states that in the middle of the city was a sanctuary of the Cabeiri, with a grove about it, and, close by, a temple of Demeter and Persephone with marble statues. He also speaks of a sanctuary and statue of Dionysos before the city on the side towards the mainland. By the sea was the so-called Glaucus's Leap, which was probably a natural cliff like the numerous Lovers' Leaps on our Eastern coast. In the description of Greece vulgarly attributed to Dicæarchus, there is mention of an agora at Anthedon enclosed by a double stoa and planted with trees.

In the early part of this century, that most clear-sighted of travellers, Col. Leake, identified the ruins of Anthedon and gave a rough diagram in his 'Travels in Northern Greece.' He was able to make out the line of the city and acropolis walls, and speaks of two moles running out into the sea and forming a small port east of the acropolis. He also mentions a platform of a public building, thirty-four yards long, founded in the sea. He refers to this same building again as "probably a temple." Since Leake's time, the ruins have been visited and described by several scientific travellers, but with no additional results. On March 5 work was begun by the American School with workmen from Thebes and from Lukisi, the village nearest to the ruins, thought by some to be on the site of the Homeric Nisa. Through the kindness of Mr. Reed, director of the English company which is engaged in draining Lake Copais, the excavators had the use of one of the company's buildings situated close to the outlet of the tunnel, about a half hour's walk from the ruins. The workmen from Thebes spent the night out in the open air. The top of the acropolis is a ledge of rock, so that there was no possibility of excavating there; but a long ditch was dug through a wheat field, from the acropolis slope inland towards the enclosing walls.

Discovery of the Cabeiri sanctuary would lose some of its lustre, owing to the fact of the Germans having unearthed a temple of the Cabeiri near Thebes last year; but it would be no mean find, and might do something to complete the picture of this mysterious form of worship. Moreover, the discovery of the temple of Demeter would be a necessary consequence of the finding of the Cabeiri sanctuary. But the "middle of the city" is a rather indefinite expression, even when referring to a small fishing-town, and when the eager eyes of the excavators found in the long ditch no small bronze bulls, like those from the temple near Thebes, it seemed necessary to relinquish hopes of the Cabeiri. For this whole district is planted with grain, and every ditch dug involved a certain amount of damages—not of alarming magnitude, to be sure, but hardly to be justifiably incurred when there were absolutely no traces to show where an experiment could be most wisely made.

More success was obtained at two elevations just outside the city walls, where the excavators made use of information acquired by previous (secret) diggings of the peasants, who have been for years in search of graves, and have practically exhausted this industry. Long lines of opened graves on both the Thebes and Chalcis roads testify to their activity in this direction. In one of the hillocks was found the substructure of a small building, and also two Doric capitals of poros stone. Mr. Rolfe thinks this may have been the Temple of Dionysos, and certainly its position agrees perfectly with the language of Pausanias. The other hill was cut up by numerous cross ditches, one of which ran into a most interesting collection of bronze implements, many of them similar to those which were found last year on the acropolis of Athens at a great depth, near the southern wall. There are several two-edged axes, a chisel, a drill, an awl, a sickle-like razor, and a large variety of knives. There is also a fragment of a bronze band with animals represented in relief.

Beyond the walls, on the side towards Chalcis, another trial was provoked by the appearance in a tomb of a large poros block belonging to a Doric entablature, and showing several sets of triglyphs. Another architectural fragment of the same material was close by, and, more important still, a rough block which was shown by the inscription upon it to have been a boundary stone of some sacred enclosure. This had been thrown out from a neighboring grave, to which it had been removed from its original position. The work here resulted in the discovery of several additional fragments of Doric architecture, one piece of which still showed traces of color; of fragments of vases, terracotta figurines, alabaster jars from the graves, as well as an interesting collection of ornaments of gilded pottery; lastly, several inscriptions, two of which, written in the Bœotian dialect, record dedications to Artemis Eilithyia, the goddess of child-birth. Pausanias mentions no temple of Artemis Eilithyia at Anthedon, but these inscriptions, together with the architectural fragments, seem to show that such a temple did exist here. The actual site, however, was not discovered, although the ground in the immediate vicinity was well investigated.

But the greater part of the labor was devoted to Leake's "public building," which has developed into an enormous and anomalous structure, or combination of structures. So large is it that a Government overseer, who arrived a few days ago, when asked what it was, suggested in all seriousness that it was the city itself. There can be no doubt, I think, that the platform seen by Leake as well as the external walls unearthed during the excavations belong to a good Greek period, but some of the interior walls are evidently of later and inferior workmanship, and in the southern portion quite an extensive mosaic flooring has made its appearance within the last week. One or two Doric capitals of poros stone and of small dimensions have been found here, but not a fragment of a statue or relief, and only one inscription, a recruiting-list of the third or second century B. C., showing that Anthedon was a member of the Bœotian League—a fact known, however, from other sources.

In the collections of Bœotian inscriptions heretofore published, Anthedon has been represented by one solitary inscription, and that composed of one word. This number will now be raised to over sixty inscriptions, ranging from the fifth century B. C. to the second century A. D. Some of these were unearthed by the excavations, others collected from the houses of the peasants in Lukisi, who had brought them from the graves which they had opened, and a few were found by Mr. Rolfe and myself in wandering about the graves. It is true that most of these inscriptions are short epitaphs and of little historical interest, but, for the study of a dialect like the Bœotian, in which strong local peculiarities are not infrequent, it is of great importance that every town should be represented, and not until now has it been possible to claim any adequate representation for Anthedon. For example, in the two dedications to Artemis, which otherwise show all the peculiarities of Bœotian spelling, the name of the goddess appears in the Ionic or Attic form instead of the regular Bœotian Artamis, which is the only form to be found in other inscriptions of this dialect.

On the whole, we may consider the excavations at Anthedon as successful, and it is hoped that Thisbe, where work will begin next week, will be even more fertile. The yield of inscriptions promises to be unusually large. At Platæa excavations must be conducted on a large scale, if at all, and it may not be possible to undertake any work there this season.

Since the date of my letter of December last there have been no extensive excavations in Athens. Having completed the work upon the Acropolis, the Greek Archæological Society has undertaken no new enterprise, presumably on account of the unsettled condition of its financial affairs. For years it has derived its funds from the proceeds of a lottery which was under its control, and recently this lottery has been sold to a Vienna bank in such a way that the Society is assured of a large yearly income. At present there seems to be a difficulty, owing to some opposition on the part of the Austrian Government. A few days ago Mr. Tricoupis made a speech in the Boulé, in which he expressed confidence that the matter would be settled in a satisfactory manner. It is more than probable that the Greek Society will eventually take Delphi in hand and carry on the extensive excavations which are so urgently demanded. The German Institute has been digging a few trenches in the auditorium of the theatre of Dionysos for the purpose of finding traces of a structure preceding the time of Lycurgus. They found nothing of importance except a perpendicular shaft of enormous depth, which Dr. Dörpfeld thinks may have had some connection with an aqueduct. Mr. Gardner, Director of the English School, has returned from Cyprus, after having seen the work there begun, but no news of any results has yet reached us. The French School has not yet resumed operations at Thespiæ.

C. D. B.

THE GRAND CONDÉ.

PARIS, April 4, 1889.

JUST at the moment when the unmerited exile of the Duc d'Aumale is revoked, appears the fifth volume of his 'History of the Princes of Condé.' This volume has as much interest as the preceding ones, and it may be said that the literary qualities of the historian are as great, though his manner has suffered some alteration. It is impossible that it should not be so; our minds are always in a state of development, and the lessons of life are not lost on the historian. What will strike the reader in this new volume, which appears so late after volumes iii and iv, is the fondness of the author for the drawing of historical portraits; the influence of Saint-Simon, of the Cardinal de Retz, of Tallemant des Réaux is visible in these fine, picturesque, and original delineations of the many personages who live and move in the atmosphere of the Great Condé. For our hero is already the "Grand Condé": he has already won the battle of Rocroy, saved the French monarchy, and curbed the power of Spain. At an age when most men are only learning, he has given lessons in strategy and tactics; he has all the prestige of a conqueror.

The volume opens at Chantilly: Condé is still called M. le Duc, as his father, M. le Prince, is yet alive. The Duc d'Aumale makes us acquainted with all the companions of M. le Duc; he gives us very striking portraits of Marthe de Vigean, with whom the young hero was for a time in love, who was in love with

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him, and, as she could not marry him, would marry nobody, and entered a convent; of Mme. de Montbazon, of Mme. de Chevreuse, of the two Princesses of Gonzaga, who became one the Queen of Poland, the other the Princess Palatine. We become acquainted also with the Duc de Beaufort, with the gentlemen who were called the "Importants," with La Rochefoucauld, with Maurice de Coligny, with the Duc de Guise, with the "libertines"—Bussy, Saint-Évremond, Rivière, Bourdelot, and might we not count also among them Ninon de Lenclos?

Marie de Gonzaga has seduced the historian as she made the conquest of Condé; she had "a valiant nature," a great intelligence. Condé, who helped to place her on the throne of Poland, always remained her friend:

"The Princesses of Gonzaga," says the Duc d'Aumale, "surpass the crowd of the women of the Fronde, even the most celebrated. They do not make a business of conspiracy, like Mme. de Chevreuse, or of *galanterie*, like Mme. de Montbazon; they have as much strength as, and more foresight than, Mme. de Longueville [the sister of Condé], less avidity than the Duchess of Châtillon. Their aptitude goes as far as the government of a party, even of a state. Both, by the audacity of their minds, the loftiness of their courage, the pliancy of their genius, have many resemblances to Louis de Bourbon. They take a great place in his history, at the agitated moments of his life, as well as in the calm and regular years of the end."

Among the friends and associates of the first hour, the "libertines," is Roger de Rabutin, cousin of Mme. de Sévigné—"a petty vassal, . . . not such a grand seigneur as his vanity would have us believe; a very good officer, of the stuff of which marshals of France are made; a valiant soldier, even audacious when he is in sight, but knowing how to spare himself; personally as perverse as his look, which is disquieting and repulsive, yet with much charm. Mme. de Sévigné grants him the pardon which Louis XIV. refuses him." This extract gives a good idea of the terse, concise style of the portraits drawn by the Duc d'Aumale, many of which must have been written after he had left his fine collection of portraits and engravings of the seventeenth century (which was lately and is now at Brussels, pending its return to Chantilly). The Duc d'Enghien brought to his life of pleasure the same ardor as in war. His father, M. le Prince, did not much like his libertine friends and their life of debauchery. The Duc d'Enghien had been married against his wish; family life did not exist for him; Mazarin, who understood him, did not leave him long idle, and sent him to Flanders.

Some people will find the Duc d'Aumale somewhat severe on Mazarin. The French Prince is not even indulgent towards the foreign Cardinal:

"The man," he says, "who so fortunately conducted our foreign affairs, who achieved what his predecessors had prepared, is wanting in that passion for France which inspired Henri IV., Richelieu; he has not the patriotic afflatus which warms the coldness of Louis XIII., which animates the solemnity of Louis XIV. Mazarin is an artist; his origin allows us to say that he governs as a *dilettante*, without any warmth, with a consummate ability; he executes, he develops the plan which others have bequeathed him. His mind is all the more free, his progress is safer—he has not the enthusiasm of success; but the personal calculation, the egoism, the *moi* are too important. One sees it in the affairs of Italy; if the Minister anywhere passes the limits of prudence, it will be on this side. His heart is there as well as his interests; there will money accumulate, palaces will be built, works of art will be collected. In France Mazarin has no family, no hatreds, no friendships; he employs men, lifts them up, puts them down or away, calls them back, according to circumstances. In Italy he has relations, true friends, and even more true enemies."

It suited Mazarin to send Condé to Flanders in 1646, and to make him serve under the orders of Gaston, Duke of Orleans, the brother of the King. After a good description of the Low Countries, the Duc d'Aumale describes the Spanish army under Piccolomini and the Duke of Lorraine. War, as understood in those times, was often a succession of sieges. Condé besieged Mardick, took it, gained a battle at Hondschoote, pierced the Spanish lines, took Furnes, and ended his campaign brilliantly by taking Dunkirk, after a long and difficult siege.

In 1647 Condé was sent to Catalonia. In the splendid gallery of Chantilly, where all the "actions" of the Grand Condé were represented in painting, there is a view of Lerida, with this note: "The only place where the Duc d'Enghien could not make the arms of his Majesty triumph." The siege of Lerida is narrated in the most minute details by the Duc d'Aumale. The historian is familiar with the Commentaries of Cæsar, for Cæsar also made war in Catalonia; he has read the 'Pharsalia,' and reminds us of the fine passage in which Lucan describes the meeting of the Legions which had vanquished Vercingetorix and those which had withstood Sertorius: "The place is the same, the names are hardly changed. The donjon, the cathedral, the thick walls of which seem to defy artillery, crown the rocks where was once Ilerda, and where are now the narrow streets of Lerida." The fate of the campaign of 1647 was decided before that rocky hill, as the fate of the campaign of Cæsar had been in 49. All the efforts of Condé were of no avail; Lerida had a good garrison, a very determined commander. Condé raised the siege on the 18th of June, and, with his little army diminished by sickness, desertion, and constant fighting, he took a strong position where the Spaniards dared not attack him. People would hardly believe in Paris that for once he had been unsuccessful; and the Parisians wrote many songs which were called *Lerida*. Condé was afterwards often heard to sing one of them, which ended thus:

". . . "Son dada
Demeura court à Lerida."

To this day the name of Lerida is associated with the name of Condé as much as the name of Rocroy.

During the first days of 1648, Condé was called to Burgundy for the opening of the States of that province; in the spring, he left for Arras; he was again to direct the operations in the north of France. We will not attempt to follow the Duc d'Aumale in all the details and complications of these operations. It is enough to say that they ended in the great victory of Lens. Condé made five thousand prisoners; the Spanish army lost three thousand men and more than a hundred flags.

"A glorious battle," says the Duc d'Aumale, "given with the back turned to the frontier, the road to the capital barred, and the capital in a ferment of insurrection; an audacious battle, and nevertheless none was ever prepared with more patience, calculation, and reflection. Let us consider a moment what would have been the consequences of a campaign less wisely conducted for two months, less rapidly terminated in nine days. It would have been the rupture of the negotiations at Münster, a separate treaty between the Swedes and the Emperor, France continuing the war without any allies, Alsace and Artois lost, the gates of Paris in rebellion opened to the Spaniard as they had been once to the English."

Condé was modest in his despatches: the day after Lens, in a letter to Mazarin, he struck out the words "our victory" to write instead "our struggle." But he was modest only in his despatches; he knew and felt himself, he knew that he had saved the country, the monarchy, the minister, and he made Mazarin feel it. It is certainly one of the most extraordinary facts of history that at the very moment when Mazarin obtained at Münster the most signal advantages for France, his power was attacked in Paris with the greatest violence. Condé stood by him and by the King. We cannot give in detail the history of the flight of the King to St. Germain, of the blockade of Paris. Mazarin and Condé together brought the capital to terms, and the "peace of Rueil" was signed. Condé brought the King back to Paris, but the service which he had rendered to Mazarin was so great, and Condé made him feel so much the weight of his protection, that Mazarin soon looked upon him as a danger to the state. He was afraid of a coalition between him and Cardinal de Retz, his most dangerous adversary and a constant conspirator; he feared lest sooner or later Condé should be drawn to the party of the princes and ladies of the Fronde who were opposed to his authority. On the 18th of January, 1650, Condé went to the Chamber of the Council; Mazarin left the room, and soon entered the Captain of the Guards. "What do you want?" "I have an order to arrest you with the Prince de Conti and M. de Longueville [they were also in the Council Chamber]." No resistance was possible. Condé thought a moment of the assassination of the Duc de Guise at Blois. "You are a gentleman; what does this mean?" "Upon my honor, sir, it is a question only of Vincennes."

Condé was taken, with a military escort, to Vincennes. He said afterwards, referring to his captivity: "I entered Vincennes the most innocent of men; I left it the most guilty of subjects." The next volume, now in preparation, will give us the history of Condé's rebellion.

Correspondence.

RAILROAD MORTGAGES AND PRIOR LIENS.

To the Editor of The Nation:

Sir: The editorial on "Railroad Mortgages and Prior Liens" in your last number requires a correction and a criticism.

It was proved, in the case you name, that the supplies in question were required for and used in the operation and maintenance of the C., W. & B. railway. The terms of the statute you quote are broad enough, though, to cover supplies in the wider sense to which you refer.

I fully agree with you that the issuing of railway receivers' certificates has been carried to an excess unwarranted by principle and dangerous in practice. In so far as they are permitted for anything beyond what is actually needed to keep the road in operation, they constitute the abuse of a judicial power whose use was meant to be, and until lately was, for preservation only. Courts can exercise only remedial justice. Improving or changing or adding to a railway is not the application of a remedy, but the exercise of rights of ownership, and therefore unjustifiable interference with vested rights. The note of warning has been sounded more than once; and I believe the courts are about to check this abuse before it becomes a practice so settled that mortgagees may be held to have contracted in anticipation of it. But the decision on which you comment

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ed bears no relation whatever to those involving receivers' certificates or claims for supplies either ordinary or extraordinary, and your suggestion of unconstitutionality of the statute on which it was based was, I am sure, due to misapprehension of its nature and its relation to the contending liens.

The way in which railroad companies may reorganize is specially provided by a subdivision of the statutes of Ohio, of which the section you quote is a part—reorganization having its technical meaning in Ohio and not including the mere creation of a new corporation to buy the property and franchises of a former one. It can only be done on the written assent of the holders of all existing liens. If this is not given, the ordinary remedies are open to all.

The terms on which a corporation may reorganize are certainly as much within the discretion of the Legislature as those on which it may originally organize. One of those terms is made the priority of the liens of judgments for supplies furnished after the reorganization. Every lienholder necessarily assents to this by signing the reorganization agreement for which the statutes provide, and availing himself of the remedy thereby given. The postponement to such subsequent judgment liens of the new security he takes from the reorganized company is, therefore, unlike its postponement to ordinary supply claims, or to receivers' certificates issued for other than purely preservative purposes, based solely on his own consent. Having taken the benefits conferred by the statute, he cannot escape its burdens.

By the decisions of our courts, following the general rule elsewhere, the provisions of the statutes under which railway mortgages are issued become a part of their terms and conditions by operation of law as fully as though expressly stated therein. Full protection against collusion or mistake is, of course, afforded by the courts in the action to foreclose, wherein all liens are open to full investigation.

Respectfully yours, JUDSON HARMON.

CINCINNATI, April 15, 1889.

JURISDICTION WITHIN THREE MILES OF THE COAST.

TO THE EDITOR OF THE NATION:

SIR: In Number 1240, "R. C. M." joins issue on your statement as to the authority of the United States Government to "give law to the subjects of other nations" within "a marine league from our shores." The affirmative of the proposition, as here stated, is not maintained by the *Nation*. Inferentially, however, it is; and "R. C. M." "ventures to call your attention to a decision which puts an end to that pretension." The celebrated case of The Queen vs. Keyn, 2 Exchequer Division, is cited, and extracts from Lord Cockburn's judgment are quoted in support.

The question in the case was one of *criminal* jurisdiction, and that alone. The quotation, "*ex concessis*, the jurisdiction over foreigners in foreign ships, etc.," is limited to this sense, as a reading of the paragraph in which it occurs shows. On the contrary, it was conceded by even the judges forming the majority of the court that, for some purposes, "the concensus of civilized independent states has recognized a maritime extension of frontier to the distance of three miles from low-water mark" (Sir R. Phillimore, p. 81). "The foreigner invading the rights of the local fisherman would have been amenable, consistently with international law, to local legislation prohibiting such infringement, without any stipulation to that effect by treaty" (Cockburn, C. J., p. 205).

But while Lord Cockburn denied to the English criminal courts, by virtue of any common law or then existing statutory authority, or by binding rule of international law, the right to try the German prisoner for his offence committed within the three-mile limit, he intimates (p. 208) that, had Parliament so enacted, there could be no question. In other words, Lord Cockburn's difficulty was one of constitutional rather than international law. Acting on this suggestion, doubtless, the Territorial Waters Jurisdiction Act, 41 and 42 Vict., c. 73, was passed, giving British courts cognizance over all offences committed on "any part of the open sea within one marine league of the coast, measured from low-water mark," of her Majesty's dominions.

Is it too much to premise, then, that your correspondent's logic is somewhat at fault when the conclusion reached is that the judgment in The Queen vs. Keyn "puts an end to the pretension" referred to? Surely, if it is within the competence of the British Parliament to enact the Territorial Waters Act, it is likewise within the authority of the United States Government to give law to the subjects of other nations within a marine league from its shores. R.

HALIFAX, N. S., April 13, 1889.

THE LIMITATIONS OF STATE LEGISLATION.

TO THE EDITOR OF THE NATION:

SIR: Your correspondents, in Nos. 1238 and 1241 of the *Nation*, in criticising Prof. Bryce's remarks upon the powers of our State Legislatures being as great as the powers of the Parliament of Great Britain, except to the extent that our legislatures are controlled by the written constitutions of the United States and the State, seem to have lost sight of the fact that Great Britain has a Constitution, though it be unwritten. Is the Parliament of Great Britain *omnipotent*? Is it not controlled by the Magna Charta, Petition of Right, and the immemorial customs and usages of Great Britain? And if this be so, are not Prof. Bryce's statements correct, when properly understood, that our legislatures are as omnipotent as the Parliament of Great Britain, except in so far as their powers may be limited by written constitutions and immemorial customs and usages?

Yours respectfully, TALBOT J. ALBERT.

BALTIMORE, April 16, 1889.

TO THE EDITOR OF THE NATION:

SIR: I am surprised that two of your correspondents have seriously questioned the doctrine stated by Mr. Bryce, viz., that the State Legislatures of each State have the same omnipotence as the British Parliament, except as restrained by written constitutions. That doctrine is sustained by an overwhelming weight of judicial decisions. It is thus stated by Judge Cooley in the fourth edition of his work on 'Constitutional Limitations,' page 204: "The rule of law upon this subject appears to be, that except where the constitution has imposed limits upon the legislative power, it must be considered as practically absolute." A great many cases are cited to sustain this view, and none to the contrary. I do not think any case can be found which is expressly decided on the ground that a statute is void because in conflict with any custom or any principle of justice not found in the written Constitution, though undoubtedly there are dicta to this effect, some of which are cited by one of your correspondents.

And the doctrine stated by Mr. Bryce is as clear on principle as on authority. What is the basis of the American doctrine, unknown elsewhere, of the right of the judiciary to declare legislative acts void? Only this: the court looks from the statute to the higher law of the Constitution, and, perceiving a conflict, decides in favor of the law, which is supreme. The powers of our judiciary are based on written law. In what States are they authorized to say that a statute, not in conflict with the written Constitution, is void? The province of a court is not to make law, but to interpret the law made by the law-making department. No doubt, where they find no rule of law established sufficient for the decision of a case, they have to make a rule. But where they find a rule made by the proper department, how can they justify its overturn, except by pointing to a law higher than the statute made by the people, the supreme law-making power?

The doctrine that there are restrictions upon the Legislature which it is the duty of the courts to enforce, not found in our written constitutions, leads to the greatest uncertainty in constitutional law. It gives weak judges a plausible excuse for holding void any statute they do not like. And though I think no court has ever undertaken to justify the holding void a statute not in conflict with the written Constitution, statutes have been in many cases set aside, where the court did not point out the constitutional provision with which the statute was in conflict. Michigan has had its full share of this class of decisions, and the natural result was pointed out by Judge Cooley in an opinion given in the State Tax cases decided in 1885 (54 Mich., 446). He says: "It seems to me that on constitutional questions the Court is drifting to this position, that those statutes are constitutional which suit us, and those are void which do not." Whether Judge Cooley's utterances upon the power of the courts to set aside statutes have always been consistent I will not say; but certainly the latest expressions of his opinion are in favor of the rule stated by Mr. Bryce. C. A. KENT.

DETROIT, MICH., April 13, 1889.

TO THE EDITOR OF THE NATION:

SIR: You have lately published two letters, one from I. H. Lionberger and one from "E. W. H.," both to the effect that American courts do hold, and of right ought to hold, acts of legislatures unconstitutional and void, even though they do not contravene any express provision of the State or national Constitution, provided they are contrary to what the court may regard as the general principles of free government. In the words of "E. W. H.," "Our courts . . . will enforce not only the guarantees of written charters, but also the unwritten principles of constitutional government."

I doubt if there are many lawyers that will assent to this most dangerous and revolutionary doctrine; but, for the sake of those of your readers who are not lawyers, I do not think the statements of your correspondents ought to pass without a protest. Certainly if the doctrine which they enounce were generally maintained by the courts, our government would already have become one of men and not of laws. That the men by whose permission we should hold all our dearest rights are judges of the courts and generally men of high character, does not affect the principle. If a contract made or an act done by me in accordance with the law of the land as declared by the Legislature, can be annulled and held void by a judge, not because it contravenes any provision of the Constitution, but because that judge believes, or claims to believe, that it is not in accordance with the principles of abstract justice, then I have no rights except such as that judge chooses to allow me. The power of a court

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to nullify an act of the Legislature is a most dangerous power, reaching backwards as well as forwards, and should never be exercised except in accordance with some express provision of the written Constitution.

There are a few cases in the books, both in England and America, where a judge has assumed to hold a statute void as opposed to natural right, but neither in England nor in America have courts any such dispensing power. There have been many questionable decisions annulling statutes, but most of them have been under the clause of Magna Charta, repeated in substance in all our constitutions, to the effect that no one shall be deprived of life, liberty, or property without due process of law. What amounts to a deprivation of liberty, and what is due process of law, are very difficult things to define, and there is room for a good deal of latitude in their construction, and some of the decisions of some of the courts have undoubtedly gone too far under this clause. But the well-settled rule is unquestionably as stated by Mr. Bryce, that the State Legislatures have succeeded to all the powers of the Parliament of Great Britain, except as limited by the national and State Constitutions.

I have examined all of Mr. Lionberger's citations to which I have access, and find them either misquoted or distorted by being taken from the context. One of his citations is from the case of Dash vs. Van Kleeck, 7 Johns. 477, in which Judge Kent says: "I must insist that our State Legislature, when acting within the pale of the Constitutions of the United States and of this State, has the same omnipotence which Judge Blackstone ascribes to the British Parliament." In opposition to Mr. Lionberger, I contend that all the courts of this country have always been in substantial agreement with Judge Kent on this point, and will close by citing a late deliverance of the Court of Appeals of New York. In the case of The People vs. Gillson, 109 N. Y. 398, decided in June, 1888, Judge Peckham says:

"It has been further held that every presumption is in favor of the constitutionality of legislative acts; that the case must be practically free from doubt before an act of the Legislature should be declared unconstitutional; that, as to our State Constitution, the question whether a statute is a valid exercise of legislative power is to be determined solely by reference to constitutional restraints and prohibitions; that it may not be declared void *because a court may deem it opposed to natural justice and equity.* . . . These principles have been frequently asserted in our courts, and are so familiar that a reference to particular authorities is not thought needful. They are good and healthful rules, and should be followed by all courts." A. P. R.

CORPORATIONS BEFORE THE INTER-STATE COMMISSION.

To the Editor of The Nation:

Sir: In your issue of April 11 a correspondent from Philadelphia, discussing the Inter-State Commerce report, complains as follows:

"The notion that they [the Commission] can regulate men's business better than the owners can, is quite patent. On page 4 there is asserted a right to inquire into the concerns of every corporation engaged in inter-State commerce, because that information will enable the Commission to deal more efficiently with the subject committed to them. Why confine this to corporations? If the reason or ground for the claim warrants the arrogation of the power, evidently not a dealer or trader exists whose business arrangements are not liable to be made public at the demand of this Commission."

Now, whatever differences of opinion may exist as to their practical working methods, it seems to me that one of the very strongest reasons for the existence of the Commission lies in that difference between the corporation and the individual, in point of legal status, which your correspondent overlooks. That individual liberty and privacy should be guaranteed and guarded is the very spirit of Anglo-Saxon law, and that the "business arrangements" of no dealer or trader should be "liable to be made public at the demand of this Commission," is most true. But is not this a childish exaggeration of the danger? and how does right of privacy apply to a corporation engaged in inter-State commerce?

To begin with, the corporation, as it exists in modern times, is a most un-Anglo-Saxon institution; and the theory of limited liability inherent in it is repugnant to that doctrine of personal responsibility for one's own acts which is a feature of the common law. But the main argument against the claim by the corporation to immunity from investigation is that so ably elaborated by Mr. Bonham in his recent book on 'Industrial Liberty.'

The corporation derives its franchises from the individuals composing the State, and is bound to hold and exercise these franchises as a trust for the public conferring them—a trust even more sacred than that for its stockholders. The individual citizen is the ultimate source of the existence of the corporation, and the franchises are granted in usufruct only, and can never lawfully be exercised in derogation of the individual citizen's rights. In the exercise of its power of eminent domain, the inter-State carrier can deprive an individual of property for which its money value is no compensation, and yet if one or more individuals complain that a corporation is abusing its franchises, the all-sufficient answer is that the State must proceed against the corporation for a forfeiture of its charter; if exception is made to this answer because no State can deal satisfactorily with an inter-State carrier, the presumptuous complainants are told that in a free country no Commission ought to arrogate to itself the right to "inquire into the concerns" of a corporation.

When Lord Chancellor Nottingham, the "Father of Equity," began to lay down and enforce the doctrine that a trustee, when thereunto called by a party interested, must give forthwith a detailed account of his stewardship, there were doubtless many easy-going trustees who regarded such proceedings as unwarrantable interference with individual privacy, and who, in conversation with their fellow-sufferers, probably referred to the Chancellor as "that fellow Finch"; but the right thing prevailed, and it is to be hoped that the doctrine of private trusts will ultimately be applied to that great trust involved in the exercise of corporate franchises, and that any party interested shall have the right to demand and to enforce his demand for a fair and impartial exercise of such franchises. Of course the law, as your correspondent states, is limited to the prevention of unjust discrimination; it was hardly contemplated, however, that the corporation should be the judge of what discrimination is unjust and what is not.—Yours truly, Joseph C. France.

Baltimore, April 15, 1889.

LAW AND PRACTICE IN IOWA.

To the Editor of The Nation:

Sir: Happening to be travelling in the State of Iowa three times within the last six months, I have had some little curiosity to observe how prohibition works. Prohibition prohibits about the same way that protection protects. Those who don't want liquor, don't get it, and those who do, get oceans of it. The aim of prohibition is, I believe, to keep those who crave liquor from getting it. It fails of its purpose in Iowa, as a rule, as far as my observation goes. I have noticed the same thing in Maine. For instance, one week ago today, in Burlington, Iowa, I was shown two saloons in "full blast." We entered from the street. The beer was sold over a counter and drawn from kegs. In fact, it was the kind of saloon you would see across the river in Illinois or Missouri.

As a rule, the Germans will have their beer, no matter what happens. The river counties voted heavily against prohibition, but the "back" counties—the farming counties—outvoted them.

A friend of mine in the wholesale grocery business told me that, in the old times, before prohibition, his customers used sometimes to request him to ship a gallon or so of whiskey with the consignment, but that now, no matter how frantic the appeal (and some I saw were indeed frantic and pathetic), neither would his house nor any other wholesale house ship one drop to the interior counties. "They voted to deprive me of my beer," said this philosophic German; "now let them go dry themselves."

My observation leads me to believe that the outcome of the whole matter is, that people who live in the large river towns get all the liquor they want, but the farmers go dry—and awfully dry they must get, too; for I have known them to drive forty miles to town for a drink. A Travelling Man.

Chicago, April 13, 1889.

TO CIVIL-SERVICE-REFORM REPUBLICANS.

To the Editor of The Nation:

Sir: It requires very little insight to see that the cause of civil-service reform is in a more critical situation than at any previous period in its history. It has been so often asserted that the true friends of the movement were mostly in the Republican party, that most people have come to accept the assertion as the truth. If, then, the glaring violation of reform pledges already perpetrated is, as it seems, to go unrebuked by those Republicans who have been wont to assume a leading part in reform movements during the past four years, the masses will take it for granted that the cause has gone by the board.

Four years ago, the *Independent* was honest enough to tell the people the truth about Blaine in plain terms, and to refuse to support him. Within less than three months of Harrison's inauguration, it was wise enough to utter words of warning against his selection for the Cabinet, and to predict the division of the party if the selection should be made. It was, nevertheless, made—in all probability had been made before the election—and the *Independent* has not a word of criticism to offer. Indeed, it has even discovered that Blaine's former unfitness has in some inscrutable way been transformed into wisdom, and it sees reason to hope for excellent results from the appointment. It criticised Cleveland very severely for allowing so many fourth-class postmasters to be removed to make places for inexperienced men, but assumes that Harrison has done right in appointing Van Cott, a mere politician, utterly inexperienced in postal affairs, to succeed Pearson, to whose excellent fitness it is compelled to testify in the very same breath. It is hardly necessary to remark, in the light of such facts, that all its former professions of devotion to reform are thereby proved to have

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been basely insincere, and calculated only for party purposes.

Is the same thing true of many other prominent Republicans whose names will at once occur to the readers of the *Nation?* Are some distinguished Indiana reformers who supported Harrison so vigorously, and who, since his election, have erected so lofty a standard for him to follow, now going to imitate the baseness of the *Independent?*

Criticism from without will do very little good. If it does not appear, and that speedily, that there is a large body of men in the Republican party who are ready to censure Mr. Harrison as he deserves for such abuses as the removal of Pearson, it might as well be understood at once that civil service of the spoilsmen, for the spoilsmen, and by the spoilsmen has entered, by the grace of Mr. Harrison, upon an unprecedented career of prosperity. W.

THE RHINES BALLOT-BOX.

To the Editor of The Nation:

Sir: A word as to the Rhines Ballot System, of which a correspondent tells in your issue of April 18. It is of course encouraging to see so large a share of popular attention given to ballot reform that rival methods begin to compete for favor, and for this reason we welcome the efforts of Mr. Rhines, who is certainly sincere and well-meaning, to perfect the methods of secret voting in the direction of economy and accuracy. But I cannot refrain from pointing out that his apparatus, as it now stands, is open to the same strong objections that apply to the party-list system, embodied in the New York bill, and refused admission into the Massachusetts act. Wherever there is a column or list or group for all candidates of the same party (as there is in the New York bill and as the present Rhines method requires), you drag down the electoral system with at least three potent disadvantages:

(1.) You force every candidate to be dubbed either "Republican," "Democrat," etc., or "Independent," and thus deprive him of the right to stand forth, as a citizen, in his own name, free from any party stamp, and yet not obliged to content himself with the dunce corner reserved for obstinate "Independents."

(2.) You get into difficulties the moment there are two or more candidates (and when are there not?) who all wish to claim membership, as they have a right, in one party. You must either deny some of them this right, or you must cumber the ballot by printing more columns or additional party lists.

(3.) You foster the custom of blind adherence to party candidates, and undermine the independent judgment of the average elector by inviting him to vote at one stroke for a number of men, for offices requiring entirely different qualifications, on the one ground that they call themselves of a certain party. You deny him the advantage of being required to reflect at each vote he casts for each office.

These are not reasons which would have weight with the self-seeking class of politicians, but they count with some of us. At the risk of taking too much space, I will suggest a modification of the Rhines apparatus which will, I think, eliminate its party-list feature, and help to make it, what it apparently is capable of being, the modern, economical, and accurate apparatus (for it is merely a piece of apparatus—it cannot be called a system) for carrying out the principle of the compulsory secret ballot: Remove the party names at the head of the columns of buttons. Paste, or otherwise fix, across each button (which is large enough) the name of a candidate for the office represented by that horizontal row, and on each row arrange these names in alphabetical order. Let each organized party have a color (and on the inner face of the outside cover print a key showing these colors with the corresponding party names), and where a candidate wishes to appear under a peculiar name, *e. g.*, "Labor-Democrat," paste it just above his button, perhaps on it. Thus the voter does not vote by columns or by lists, but has each name before him, and votes by choosing that particular candidate. Moreover, each candidate can call himself what he pleases, and there may be more than one candidate of the same appellation. Nor is the mechanism of the tally-sheet affected in any way.

If Mr. Rhines's apparatus does mechanically as well as he claims (about which I know nothing), it ought to receive the attention of all interested in lessening the friction and expense of election machinery. It will doubtless receive the cordial condemnation of the printers whose business flourishes at election time. But it ought not to be employed until he consents to deprive it of its present objectionable feature. J. H. W.

Boston, April 20, 1889.

COLLEGE LECTURES AND EXAMINATIONS.

To the Editor of The Nation:

Sir: The method of instruction in vogue in our colleges is a compromise between the lecture system, the recitation system, and the so-called Socratic method. The necessary complement of the lecture system is the examination—in no other way is it possible to discover whether the student has made the required progress; and the longer and more searching the examination, the more full and more definite is the knowledge of the instructor about the real intellectual condition of the student. When the aim of the teaching is the mere imparting of knowledge, the lecture is certainly the most economical method, simply because the lecturer can condense several books into one address, and can compel hearing where he might not compel reading. Many arguments advanced against the lecture system hold good for preaching and speech-making of all kinds. Granted that there is a gain in having lectures printed (if one owns a printing-press), there are serious losses also; for if the printed lecture is delivered, there will be diminished attention in the hearers; if it is not delivered, its message will not come with so great force as from the living man. But there is a pedagogical value in hearing lectures and in taking notes of them: it is very desirable that a man should be trained to winnow the chaff from the wheat in an address—to pick out the salient points, and to carry with him the gist of a speech.

The recitation system, at its best, is merely a series of daily examinations. A term examination following these ought to and does have no terror for a diligent student. The real Socratic system throws the entire burden on the teacher; the pupil already has the knowledge, but must be aided to vivify it. Theoretically, such a system has no place for examinations. When each term's work stands for certain results, and the obtaining of these results is kept constantly in mind, whether the necessary imparting of knowledge is brought about in one way or another, the examination comes as a matter of course, and no one is troubled about it except the indolent and the incompetent. Examinations bring about a unification of knowledge with good students, and furnish a pretext for the retirement of poor ones. The charge that cheating occurs in some cases is no argument against examinations: dishonesty may be exercised on other occasions as well. The remedy lies in strengthening the moral fibre, not in removing the occasions for immoral action.

W. A. Merrill.

Miami University, April 15, 1889.

To the Editor of The Nation:

Sir: In connection with recent correspondence regarding college examinations, the fact may be of interest that for many years past at the Massachusetts Institute of Technology very full notes of most of the courses of lectures have been furnished to the students at first in "hektograph" and more recently in print, illustrated with all needed cuts. The original cost of preparation is assumed by the corporation of the Institute, and the students are charged with only the bare expense of printing. The saving of labor to the student is exceedingly great.—Yours respectfully,

Chas. R. Cross.

Rogers Laboratory of Physics, Mass. Institute of Technology, Boston, April 15, 1889.

To the Editor of The Nation:

Sir: The present abundance of books and facilities for printing have, no doubt, diminished the importance of the lecture system and restricted its field; but as pulpit and platform still have their use, and are not wholly superseded by the press, so perhaps this method of oral instruction, employed judiciously and in due measure, may not be without value, even in this progressive age. Decidedly, my own experience and observation incline me to think so. The live teacher is something more than a book; his spoken words have an effect that is largely lost in print. But to attain this result he must dismiss all thought of rhetorical display; he must not try to be eloquent; he must teach, not preach.

Is not a common cause of ineffectiveness in lecturing the habit of *reading* the lecture? When that is done it is, indeed, better to print. But where the instructor has a lucid knowledge and easy mastery of his subject, and can *talk* it (not spout it), effects can be obtained that cannot be had from books. Myself originally a sceptic in this matter, my views have been greatly modified by experience.

And why is the making and revising of notes necessarily such a waste of time? Is the mind idle because the hand is busy? On the contrary, when this work is properly done, the subject is at the same time mastered in a degree rarely obtained by mere study of books. I am aware that many subjects are not well adapted to this method, and that many teachers are ill qualified to use it, and sacrifice the students profit to vanity and folly. I recognize fully the value of the new methods that are growing in favor, but it does not follow that they will, or that they should, entirely supersede the old.

C. K. G.

Canton, N. Y., April 16, 1889.

MR. CHAMBERLAIN'S SCHOLARSHIP.

To the Editor of The Nation:

Sir: The better-informed among Mr. Joseph Chamberlain's fellow-commoners must occasionally be moved to smile, when he ventures on excursions beyond the sphere of present-day politics. It is not long ago that the Right Hon. gentleman was pleased to designate the Seven Bishops of refractory renown as "Nonconformists"; a term which, to characterize them, must be taken in a very Pickwickian sense indeed. Again, if the newspapers have not reported him amiss, in a speech which he made in the House of Commons yes-

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terday, he signalized his acquaintance with literature by giving to Mr. John Bright the credit of originating the phrase "join the majority," in its euphemistic application. In his next vacation from manufacturing screws and elaborating sophisms against home rule, he might do worse than to dip into De Quincey, and, with the acquisition of some "small Latin," learn to weigh his rendering of *plures* against the mysterious abracadabra itself. *Tractent sua fabrilia fabri.*

Your obedient servant, X. Y. Z.

LONDON, March 30, 1889.

Notes.

ROBERT CLARKE & Co., Cincinnati, will shortly issue 'The Jew in English Fiction,' by Rabbi David Philipson, D.D. Marlowe, Shakspere, Cumberland, Scott, Dickens, Disraeli, and George Eliot receive attention in separate chapters.

W. S. Gottsberger & Co. publish immediately Georg Ebers's 'Margery (Gred): A Tale of Old Nuremberg,' translated by Clara Bell.

The Woman's Temperance Publication Association, Chicago, have in press 'Glimpses of Fifty Years,' by Miss Frances Willard.

A book of sermons, 'Living Questions: Studies in Nature and Grace,' by the Rev. Warren Hathaway, is announced by Fords, Howard & Hulbert.

The Dunlap Society will issue to its subscribers this year two parts of Mr. William Winter's 'Brief Chronicles,' and Mr. Lawrence Barrett's recollections of Charlotte Cushman, which will contain also a list of parts played by the great actress.

D. C. Heath & Co. will publish at once 'The Laws of Health in Relation to School Life,' by Arthur Newsholme, M.D., Diplomate in Public Health, University of London. The same firm have added to the "Old South Leaflets" Washington's inaugurals, and a letter of his to Benjamin Harrison, Govern of Virginia, in 1784, touching the development of the great West.

We should be glad to linger over 'The City of New York in the Year of Washington's Inauguration, 1789,' by Thomas E. V. Smith (who is, by the way, his own publisher); but in the interest of the prompt sale of the book we will say briefly that it is an excellent performance, by an antiquarian not crammed for the occasion, but saturated with local learning. Without pretence of style, or prolixity, without a footnote or a reference to authorities (without, alas! an index), Mr. Smith proceeds, in the most direct and orderly manner, yet not drily, to give a general description of the city, and then to picture in detail government, militia, politics; climate, dress, and customs; churches and clergy; amusements, education, literature and art; and ends with President and Vice-President, and Washington's inauguration. He ransacks the Directory to record the dwellers on the principal streets, Wall Street being in 1789 the most fashionable place of residence and the centre of political life for the new republic. The city fathers, the Faculty of Columbia College, the booksellers and what they sold to readers, the newspapers of the day, the plays of 1789, are all carefully set down, with here and there a spice of humor, and many a curious extract from public or private documents. We doubt if any work called forth by the approaching anniversary celebrati n will surpass this in quality, and we heartily recommend it.

The contrast between Washington's New York and Harrison's may be stu d, in connection with the foregoing work, by means of three sets of albertype views neatly bound as albums by Adolph Wittemann, 58 Reade Street. Central Park is the subject of one, the Brooklyn bridge of another, and the city in general of a third. Though a little cold, as prints, and lacking atmosphere, they are well selected and very fresh, even the new *Times* building being included, and the tangle of overhead telegraph wires, soon to disappear, being put on record. Strangers visiting the city could hardly do better than to carry away these albums as souvenirs. They are the first of a series which will be extended to all our large cities.

Canon Twells's 'Colloquies on Preaching' (Longmans, Green & Co.) is a good deal of a novelty in homiletic literature. The novelty is partly in the form—twenty more or less informal dialogues between all sorts of people upon the subject of preaching and preachers; and partly in the unusual frankness with which this clerical writer recognizes the limitations put in the modern world upon the clerical function, and the power he has of coming so near the real thought of a great many different persons about sermons. This is the most that can be said for the book, which is, in its main purposes, rather goody-goody and decidedly ineffective—the moral being that preachers ought to preach as well as they can, while listeners ought to exercise a great deal of patience. The writer seems to understand pretty well the attitude of Tennyson's Yorkshire Farmer and of Squire Western, but of the causes of the alienation of the artisan from the Church, or that of such a man as G. H. Lewes, he shows no conception.

It is a pleasure to receive the fourth and last volume of 'Battles and Leaders of the Civil War' (The Century Co.), and to find it equipped with a triple-column index of sixty pages. The value of this important work we need not estimate afresh, as there can be few readers who have not acquainted themselves with the magazine articles on which it is based. We should like to praise as they deserve the editorial labors of Messrs. Robert U. Johnson and Clarence C. Buel, but we doubt if anybody but these gentlemen can speak adequately on this point. The total product is creditable to all concerned, and has a distinct American stamp in its conception and execution—the *mechanical* execution, of cuts, paper, and typography, being in the very front rank of subscription publications.

The 'Encyclopædia Britannica' comes to a final end in an Index volume of 500 pages (Boston: Little, Brown & Co.; New York: Scribners), very open and clear, and on the face of it only a partial clue to the infinite riches of the twenty-four volumes. All the titles are repeated in the Index, and these are interspersed with names and topics not to be discovered in their alphabetical relation. On a page taken at random we have counted two new entries to every old title, and this proportion may very likely hold throughout. The Index repairs, so far as it can, the slight put upon the living in the scheme of this Encyclopædia, by summing up incidental references to Bismarcks, Darwins, Gladstones, Stanleys, and other notables of the period of the making of this extended work. It would be a superfluous task to criticise this Index, since we must take it as it is. No two makers of it would have agreed on what to insert and what to exclude. One unsuspected service it will render, and that is to correct the editorial shortcomings by bringing together references to the same facts, when inconsistencies and errors will duly appear. The first title we verified in this way showed in an incidental reference complete ignorance of the full and elaborate (biographical) article covering the same ground. At the close of the volume is given a list of contributors, in which many American names occur.

The 'Complete Index to *Littell's Living Age* (First Hundred Volumes),' undertaken by Mr. Edward Roth, 1135 Pine Street, Philadelphia, has just completed the fiction and begun on the geographical articles.

The classical antiquities of the Boston Museum of Fine Arts are assuming such proportions in numbers and value that the Curator's report in the Thirteenth Annual Report of the Trustees deserves attention, as indicating the lines of recent increase. In the torso of a male statuette from Naukratis, Mr. Robinson thinks he has a connecting link between Egyptian and Greek art.

The attractive appearance of the *Annals of Botany* (Macmillan) has probably had much to do with its remarkable success. In typography and plates, in the character of the paper, and the general symmetry of the page, it ranks among the best specimens of periodical literature. From the very first the editors have had a copious supply of material of a high order for their regular issues, and they have been discriminating in its use. One of the features which were viewed at the outset with some apprehension by many friends of the new venture, was the attempt to give the titles of all papers in current botanical journals; but this has been so well managed that all fear that the magazine would be in this way overweighted must have passed. The price of the *Annals* has been raised to thirty shillings per annum.

—It is almost a wonder, when one considers how many of the portraits of Washington the impending centenary has brought to public notice, that nobody, so far as we know, has thought of engraving and publishing the portrait by Savage, now in the possession of Harvard College. The late Mr. Josiah Quincy used to declare that this portrait corresponded to his recollection of Washington more closely than any other. It may be worth while to reprint from Mr. Edmund Quincy's Life of his father the following passage relating to it:

"I was curious to know how my father's recollections of the personal appearance of Washington agreed with the popular descriptions and pictorial representations of it with which we are all familiar. He was not an imaginative man, and never dressed his heroes in the colors of fancy. No man had a profounder reverence for Washington than he, but this did not affect his perceptions of physical phenomena, nor his recollections of them. . . . He maintained that Stuart's portrait is a highly idealized one, presenting its great subject as the artist thought he ought to live in the minds of posterity, but not a strong resemblance of the actual man in the flesh. He always declared that the portrait by Savage, in the College dining-room in Harvard Hall at Cambridge, was the best likeness he had ever seen of Washington, though its merits as a work of art are but small."

—The United States Cavalry Association, whose headquarters are at Fort Leavenworth, publishes there a quarterly journal, the March number of which contains a hundred pages of most excellent matter. One admirable military paper, although with no special bearings upon cavalry, is an intelligent explanation and discussion of the new German drill for infantry that is exciting so much interest in the military world. Its author, Lieut. Wagner, has had personal opportunity of seeing the German troops at work, and very lucidly explains, not only the general movements, but the principles governing them. Our National Guard, as well as intelligent civilians, would be interested and

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instructed by the study of this paper. But the leading article, by Capt. Carr, First Cavalry, is a fascinating excursion into an almost unexplored field. It is a vivid description of cavalry life in the interior of Arizona during the three years 1866-68, filled with graphic descriptions of conditions now happily passed away, but whose very telling almost reëstablishes them before the eye. The paper was evidently read before the Association, and was probably written for the instruction of the younger officers and the entertainment of the older ones, and has the freedom of personal speech with the accuracy of the written line. But, whatever its origin, it is a marked success, both in its style and in its matter. Capt. Carr's first adventure with a pack train, the mysterious founderings of a raft in the Verde River, the description of Fort McDowell, where there was little difference by night from the temperature by day, "which for several months in the year averaged about 115° in the shade, or would have done so if any shade could have been found," explain very clearly some of the difficulties those men fresh from the Army of the Potomac had to meet in opening up that country. Perhaps the best illustration of the primitive condition of the region is the story that the chief of a band of Apaches, defeated by the troops from Fort McDowell, came in to make peace, and, as an evidence of good faith, offered to unite his three hundred warriors with the garrison for the purpose of attacking and capturing Fort Grant! Capt. Carr writes like a man who is telling what he knows, and in this case it is what few others, at least with the capacity to narrate, seem to know. People who wonder what the army has done in peace, people who forget we have an army, and foreign soldiers, whose service all lies within civilized areas, would find this article, as we have found it, entertaining to read, and, for our people at least, valuable to preserve. If this is a fair example of the proceedings of the Association, it is certainly a most creditable institution. The Journal is at Brentano's.

—On entering upon its second volume, the *Deutsch-Amerikanische Dichtung*, edited by Konrad Nies and Hermann Rosenthal, and published in this city, offers three prizes, of forty dollars each, for the best lyric poem, ballad, and novelette dealing with German-American subjects. The jury consists mainly of editors of well-known German-American periodicals, who, somewhat oddly, are reinforced by Prof. Franz Keim of the Gymnasium of St. Pölten, near Vienna, and Prince Emil zu Schönaich-Carolath, at present in Switzerland. The verses of this august foreign contributor are, in true German fashion, assigned the place of honor in the April number of the *Dichtung*, which contains, as its most characteristic feature, a poem on our civil war, by Theodor Kirchhoff, one of the best, as he certainly is the most prolific, of German-American writers, both in prose and verse. The poem, which forms part of the epic "Hermann," cannot be said to equal in value the author's descriptions of California life and scenery, and rather boldly suggests in its metre Schiller's "Glocke." The other contributions, while not particularly racy of the soil, are, we should say, fully up to the average poetry to be found in similar publications in the fatherland, and ring the changes on "The Song Treasures of the Rhine," "The Life of Man," "The Unfathomable," "The German Lied," etc. They are chiefly interesting on account of their geographical distribution, representing as they do the States of New York, Pennsylvania, Maryland, Ohio, Illinois, Wisconsin, Missouri, and California. Emil Rittershaus is the only transatlantic contributor of note in the present number. There is a sensible prose review of the German dramatic season in New York, which justly asserts that the Germans of Chicago and Milwaukee are treated to a better dramatic fare than are those of New York. The *Dichtung* is attractively printed, and on the whole is a creditable specimen of the literary activity of the Germans of this country.

—The Transactions and Proceedings of the Modern Language Association of America for 1887 have been issued in a volume of nearly four hundred pages. It presents first the papers read, secondly the proceedings, embracing the discussions upon them, and finally lists of members of the Association, and of colleges, with the various professors of modern languages in each. This volume shows a marked advance in the work of the organization over that of the earliest years. Pedagogics in its application to modern languages has properly shrunk to a more limited space; an effort to make propaganda for special theories and methods of education has disappeared, and the bulk of the present volume is made up of original investigations, many of which are scientific in character and valuable in results. The measure between criticism and original contributions is well preserved. These papers contain, in an increasing degree, studies of local dialects for which so vast a field is presented upon this continent not merely in English, but in the survivals of other languages of the early colonists. The most extended paper of this character is that upon "Bits of Louisiana Folk-Lore," by Prof. Alcée Fortier, presenting the text in the patois of some popular tales, songs, and proverbs of the negroes of Lower Louisiana, with a translation and commentary. The article on "Charleston Provincialisms," by Prof. Primer, deals a trifle too much with general phonetic statements, and presents a limited material. The article on the "Origin of the Teutonic Weak Preterit," by Dr. Collitz, is a fresh study of this important question, and worthy of careful examination. Other noticeable papers are by Dr. Lang upon the "Face in Spanish Metaphor," and upon "The Style of Anglo-Saxon Poetry," by Prof. Tolman. The article upon the "Seminary System in Teaching Foreign Literature" presents no methods which are not applicable to all instruction in literature and equally in vogue in all higher institutions of learning, even though not designated by the name "seminary." The author's statement regarding the amount of instruction in modern German by professors in the German universities whom he ranks exclusively as philologists, is based upon an imperfect acquaintance with the work actually done in the various seminaries. There are few universities where the seminary system is not applied to the study of modern German authors. The previous careful work in many gymnasia is apparently entirely overlooked.

—With the present year the Association has adopted a commendable change in issuing its publications. For several years there has been an effort to establish a review devoted entirely to modern philology and literatures. To meet this demand, and at the same time to avoid postponing the publication of all papers read before the Association until they can appear in a single volume, the Executive Committee has decided to publish the transactions in instalments, and to insert contributions which have not been read previously before the society. The first number has just been issued, under the title, 'Publications of the Modern Language Association of America, January-March,' vol. iv, No. 1. It contains eight papers of varying value—viz., on "The Language and Literature of Wales," by Edward D. Morris; "The Rhetorical Tendency in Undergraduate Courses," by Morton W. Easton; "Dante's Paradiso, Cantos xxiv-xxvi," by Edward L. Walter; "Notes on Elizabethan Prose," by James M. Garnett; "The Geste of Auberi le Bourgoing," by Thomas McCabe, with hitherto unpublished extracts of the poem; "Some Points in the Study of English Prose Style," by Henry E. Shepherd; and "Italo-Keltisches," by Richard Otto (in German). The *Modern Language Notes* has entered upon its fourth volume. The modest title does not express the value and character of its contents. It contains brief but important investigations, careful reviews, summaries of the leading French, German, and English periodicals so far as they relate to modern philology, an index to articles in philological journals, correspondence, personal items, etc. This paper has contributed its part to promote the scientific study of the modern languages, and forms a useful medium for all scholars and teachers of modern philology.

—We find in the *Deutsche Revue* for April a comment on some remarks of Prof. Wilhelm Dilthey on the material difficulties in the way of the student of literature of the "Genie-Periode," and the writer's plan for partially obviating them. His first difficulty arises from the fact that much valuable matter is in the hands of autograph collectors, whose treasures are often badly arranged, uncatalogued, and inaccessible even when the student knows the name and address of the owner of MSS., which frequently is not the case. And if, from the first, he renounces all hope of using such private property, and limits his field of work to the materials which, he may have heard, are to be found in the public libraries, this unadventurous path is not a smooth one. For the greater part the catalogues are not printed, and, aside from the necessity of going from place to place to find them, when found they are a torment to the mind; the MSS. being classified, not by periods or persons, but as folios, quartos, etc., according to the shape in which they are bound, or by their accidental position on the shelves. There is, therefore, no escaping the necessity of reading, from beginning to end, these various catalogues, the number of which is indefinite. Prof. Dilthey's plan is to have these scattered materials collected —by legislative action, we suppose—in Berlin, Weimar, and Stuttgart, and there stored and cared for after the manner of political archives. We are pleased to note that as preliminaries to this are mentioned not only careful searches throughout Germany, but also the preparation of indexes.

APPLETONS' AMERICAN BIOGRAPHY.

Appletons' Cyclopædia of American Biography. Edited by James Grant Wilson and John Fiske. In 6 vols. With Supplement and Analytical Index. D. Appleton & Co.

THE proportions of this work far exceed those of its immediate predecessors, viz., Allen's crude 'American Biographical Dictionary' (3 ed., 1857), Drake's 'Dictionary of American Biography' (1872), and Hough's 'American Biographical Notes' (1875)—each in one volume. Drake's Dictionary has been acquired by purchase, with the author's additions and corrections, and has been selectively absorbed into this new Cyclopædia (which equally embraces living persons, or "Men of the Time"). Yet neither Allen nor Hough has been super-

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seded for men of minor importance; and when we compare Appletons' with Leslie Stephen's 'Dictionary of National Biography,' which in seventeen volumes has not reached the letter F, though it excludes the living, we must allow that the ambition of our American editors to produce a work in the same class with Stephen has not been gratified. Nor would we confine this remark to bulk alone, for it is clear on the most cursory examination that no well-digested scheme has discriminated for or against the admission of subjects, or controlled the style of the original contributions to Appletons' Cyclopædia—no just sense of proportion has determined limits—as in the case of the admirable 'Dictionary of National Biography.'

The principle of selection is fundamental, and it is well known that Mr. Stephen prints in advance in the London *Athenæum* lists of the names set down for volumes in preparation, inviting additions along with private information. No such precaution was taken by Messrs. Wilson and Fiske, who in another way sought to be as comprehensive as possible by giving a very liberal extension to family history. It results that while the greater personages are fully represented, those of lesser note, whom it is difficult to learn about, are too often sought in vain, while more obscure and unimportant men and women are recognized. One natural criterion, in the case of the dead, would be their relation to American history. To take a single State: while the first, second, and third Lords Baltimore are mentioned, no account is given of the fourth (Benedict Leonard), fifth (Charles), or sixth (Frederick)—in contravention, by the way, of the family principle on which the editors have laid so much stress. Nor is there any mention of Henry Harford, the last Proprietary; of Horatio Sharpe, who played a most important part in the French and Indian wars and the troublous times of the Stamp Act; of Thomas Cresap; of Eli Dagworthy, commandant of Fort Cumberland, James Innes, George Talbot, the hero of a tragic romance, and others who are certainly both more deserving to be held in memory and more likely to be inquired after by the student than many to be found in this Cyclopædia. In another section of the country, take William Dyer, first Secretary of the Colony of Rhode Island, a man certainly not memorable on that account, but the husband of the Quaker, Mary Dyer, hanged on Boston Common; she at least being too famous and too heroic to be omitted in a Cyclopædia like this—as she is. The Rev. Obadiah Holmes, a Baptist victim of Puritan theocracy, likewise deserved notice both for his *cause célèbre* and for his posterity.

Coming to more recent times, we cannot excuse the neglect of Isaiah Rynders—"Capt." Rynders in the days of the Empire Club, of Astor Place and abolition riots, Southwestern gambler before that, and meantime a weigher in the Custom-house for services as a political bully, and later rewarded with a Federal marshalship in this port—a typical figure in the evolution of American politics and in the history of Tammany Hall. Tweed is admitted, though he was the vulgarest of thieves. The period of the anti-slavery struggle is full of names associated with events characteristic of the two civilizations in conflict. Samuel Hoar's expulsion from South Carolina as a Massachusetts commissioner was one of these, and Mr. Hoar is not forgotten; but his fellow-commissioner, Henry Hubbard, sent to Louisiana at the same time and also forced out, if less violently, is not to be found, though he was a prominent figure in Western Massachusetts and in State politics. Capt. Jonathan Walker of Cape Cod, branded "Slave-stealer" on his hand for running off slaves from Florida while yet a Federal Territory, is rightfully remembered in the Cyclopædia; but his case pales beside that of two other humane mariners, Drayton and Sayres, who tried the same thing in the District of Columbia in 1848, and gave rise to the most exciting debates in Congress. A name among abolitionists which (in a like case) could not have been overlooked by Mr. Leslie Stephen, is that of the late Samuel E. Sewall of Boston, whose moral and material support of the movement represented by the *Liberatór* cannot be estimated, and can hardly be exaggerated; who was also a prominent member of the bar, a Liberty Party candidate for Governor, a member of the Massachusetts Legislature, and constantly and effectively engaged in the amelioration of statute law. It is safe to say that his long life was worth more to his country than that of any or all the Sewalls since his great ancestor Judge Samuel Sewall, but he is not here recorded if only to amplify the distinguished family to which he belonged. Together with the "martyr Lovejoy" and his brother Owen, one would have looked to see mentioned another brother, Joseph C., a clergyman who cut something of a figure in politics, and who was the biographer of his brother Elijah as well as of that other martyr to slavery, Charles T. Torrey. In the list of educators we miss Cyrus Peirce, head of the first Normal School in Massachusetts, whose memoir was written by the Rev. S. J. May, at one time head of the same school; in prison reform, the Rev. John M. Spear, though his brother Charles is commemorated; in medicine, the Wesselhoeft family of Massachusetts, associated with the early triumphs of homœopathy in this country; in journalism and Bohemian literature, Henry Clapp, who was also a hanger-on of several reforms. Finally, the capriciousness of choice among living contemporaries may be illustrated in the case of a given college faculty—say Cornell, where Profs. H. C. Adams, T. F. Crane, Jas. Morgan Hart, and Homer B. Sprague are left one side, though Profs. Adams and Hart are members of other college faculties and well-known authors and editors of scholarly works.

The admission of foreigners "closely identified with American history" was a more delicate matter; yet it is clear to our mind that if Father Mathew's claim was to be allowed, much more was Kossuth's, but he is ignored. Both visits were political events, but the latter of the greater magnitude. Garibaldi's residence on Staten Island and military service in South America entitled him to the notice which is accorded, say, to Joseph Bonaparte. Dickens is excluded, though his 'American Notes' and 'Martin Chuzzlewit' were no mean factors in fixing American reputation abroad, and were promotive of a vast amount of discussion on this side of the water; so is Thackeray. Mrs. Trollope comes in, by virtue, perhaps, of her two years' residence in Cincinnati. Harriet Martineau is justly given a place; so is George Thompson, whose relations to the United States outweighed in value all those named above. Robert Owen, Frances Wright, Tocqueville, Michel Chevalier, Fanny Ellsler, Macready, are other names that have been looked after. On the whole, the editing of this department seems to us free from reproach.

The Cyclopædia embraces both continents, and we have made a hasty comparison of it, for South America, with Macedo's 'Brazilian Biographical Annual' (Rio de Janeiro, 1876, 3 vols.), an absurdly arranged and ill-digested work, but, we believe, accurate as regards facts. Of course it includes a great many merely local notabilities, whom one would not expect to find in such a work as Appletons', but there are others whose records show that they were men of as great or greater note than some whose names do appear in the Cyclopædia, but who have not found places. Thus, among prominent Brazilian statesmen we do not find in Appletons' any mention of P. de A. Bellegarde (1807–64), J. da C. Carvalho (1796–1860), J. F. Coelho (1806–60), M. J. Nogueira da Gama (1765–1847), J. J. da Rocha (1777–1848), a leader in the revolution of 1822 and afterwards Minister at Paris and Rome, P. J. Soares de Souza (1807–66). Among Brazilian authors we miss A. C. T. Bastos, Costa Pereira, J. Caetano da Silva, who was also director of the National Archives; A. J. da Silva, C. M. da Costa, and others who have written works of importance, as also many prominent generals, physicians, etc. All these seem to be fully as much entitled to a place in Appletons' as the following: F. de M. Franco, M. Saraiva, Licorda y Almeida, A. de S. Coutinho, J. C. Pereira, etc. When the names are given in Appleton they are, so far as our examination goes, given very correctly, and the dates are also generally correct, though we have noted a few discrepancies between Macedo and the Cyclopædia.

In the partition of labor, the chief editors acknowledge twenty notices each from their own pens, besides others not indicated, the number naturally diminishing as the work advanced. In assigning tasks to others, they have pursued the easy method of applying to writers who have already published full biographies of the persons in question. Thus, Monroe has gone to D. C. Gilman, Hamilton to H. C. Lodge, Jefferson to James Parton, Barlow to C. B. Todd, Henry Clay to Carl Schurz, Buchanan to George Ticknor Curtis, Lincoln to John Hay, Archbishop Hughes to J. R. G. Hassard, Com. M. C. Perry to W. E. Griffis, Theodore Parker and George Ripley to O. B. Frothingham, Garrison to Oliver Johnson; Frontenac, La Salle, and Montcalm to Francis Parkman; Sir Harry Vane to J. K. Hosmer, etc. We call this an easy method for the editors for obvious reasons, but it does not necessarily follow that the bookmaker is well qualified to condense his own labors; and what is almost certain is, that he will simply reproduce the favorable bias which is the motive of ninety-nine biographers out of a hundred. As a consequence, the larger and most important notices will be apologies—partisan and not critical, nor (best of all) simple statements of the essential facts, of which we have so many models in the 'Dictionary of National Biography.' Another class of attributions is easy and natural—sometimes inevitable—namely, to the kinsmen of the subjects of these sketches. Some may have published works, as Dr. Morgan Dix the life of his father, Gen. John A. Dix, or William Preston Johnston of his father, Gen. Albert Sidney Johnston; some may have them in preparation, as Luther R. Marsh of his father-in-law, Alvan Stewart. Some may vindicate an ancestor, as James Freeman Clarke Gen. Hull. Noticeably good is Jefferson Davis's account of his father-in-law, Zachary Taylor. In all these cases bias is to be understood, and the reader must guard against it as he is able. Finally, we have examples of combined hero-worship and intimate knowledge, as in T. W. Higginson's sketch of John Brown; or of pure friendship, as in Phillips Brooks's notice of Henry H. Richardson. Criticism, tempered by consideration for the living, is illustrated in Lowell's estimate of Whittier.

Many of the notices might with advantage have been subjected to stricter revision at the hands of the editors, and many trivial or irrelevant details might have been omitted. The

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names are in most cases given with commendable fulness, and, so far as our examination goes, very correctly. In the arrangement of them, however, a serious mistake has been made, and one which detracts much from the usefulness of the Cyclopædia as a book of reference. Instead of following the alphabetical order of given names in arranging persons of the same surname, and allotting a separate notice to each, the editors have proposed to themselves to include all the members of one family in a single notice under the name of the oldest member of the family. Thus, under Chad Brown, the founder of the Brown family of Providence, are grouped the names of his descendants John Carter Brown and Nicholas Brown. Now, who that wished to find out something about John Carter Brown would think of looking under Chad Brown? Or who, looking for Gerrit Smith, would turn to his father's name, Peter Smith? The ordinary reader would look for Smith, Gerrit, in its proper alphabetical position, and, not finding the name, would at once jump to the conclusion that no notice of him was given. Unless the reader knows that the great-grandfather of Horace W. Smith was William Smith, he will look in vain for H. W. Smith. To be sure, the disadvantages of this method of arrangement are most serious in the case of the Smiths, but they are very evident in many of the commoner surnames, as Brown, Johnson, Porter, Robinson, etc.; and one is constantly liable to make the mistake of concluding that the person sought after is not included. There is a special cause for this in the fact that a man who has achieved moderate distinction is naturally desirous to lay as much stress as possible on his pedigree, and to honor his father by securing a place for him also. The trail thus proceeds from the quite obscure to the well known. As an attempt to combine the features of a genealogical record with the dictionary arrangement the scheme is a failure, and a great source of inconvenience to those who use the work. For the few more important family connections a separate entry, devoted wholly to showing relationships, would have been the most practical device. Moreover, the rule adopted is arbitrarily violated. Thus, while the Providence Browns are arranged as in a genealogical record, the Delaware Bayards are arranged properly, in the alphabetical order of given names, without regard to their relationship to each other, each one having a separate notice. With the Presidential Adamses a mixed practice is observed. To remedy this confusion one might reasonably expect an index, and in fact the last volume does contain one, but, most unaccountably, it expressly excludes names which occur as *subheadings*—the very ones for which it was needed.

Our excuse for indulging in these criticisms is the hope that they will be taken to heart by some future editor of a similar work. We have noted a certain number of errors, and several dates which we believe to be faulty; but such shortcomings were inevitable, and we pass them over. The publishers have, after all deficiencies are insisted on, rendered a very useful service by undertaking this Dictionary, even if it cannot be considered a great or scholarly work. In one particular they have given it a distinction which is perhaps unique, on so extensive a scale. Following the example of De Gubernatis in his Biographical Dictionary, they have illustrated the articles with a capital series of pen drawings from authentic portraits, and all by one hand, that of Mr. Jacques Reich, whose facility for preserving the likeness in miniature is certainly remarkable. Some faces, like Channing's for instance, have baffled him, but in general the portraits are recognizable and just. If there is any American iconographic storehouse to compare with this, we do not know of it. These small, inch-square heads compare favorably, on the average, with the steel plates which are reserved for the Presidents and other notables.

MORE NOVELS.

The Despot of Broomsedge Cove. By Charles Egbert Craddock. Boston: Houghton, Mifflin & Co.

A Daughter of Eve.—Better Times. By the author of 'The Story of Margaret Kent.' Boston: Ticknor & Co.

Lastchance Junction. By the author of 'Cape Cod Folks.' Boston: Cupples & Hurd.

A Latin-Quarter Courtship. By Sidney Luska. Cassell & Co.

A Shocking Example, and Other Stories. By Francis Courtenay Baylor. Philadelphia: J. B. Lippincott Co.

A Quaker Girl of Nantucket. By Mary Catharine Lee. Houghton, Mifflin & Co.

French Janet. By Sarah Tytler. Harper & Bros.

A Dangerous Catspaw. By D. Christie Murray and Henry Murray. Longmans, Green & Co.

A Fair Emigrant. By Rosa Mulholland. D. Appleton & Co.

For Faith and Freedom. By Walter Besant. Harper & Bros.

The Aspern Papers. By Henry James. Macmillan & Co.

THE history of literary life abounds in harrowing details of toil and hardship endured while writing up to a reputation. The diligence displayed by authors who have won reputation, in writing it away, is a modern phase, and has not received that attention which its frequent manifestation deserves. Suicide of reputation is the commonest crime of contemporary writers, committed alike by those who have reached in triumph the summit of Parnassus, and those who have been content to range themselves on the foot-hills. A few years ago the land rang with praise of Charles Egbert Craddock, the story-teller of the Tennessee mountains. Hers was the glory of the discoverer, and hers, too, the indisputable possession of the literary qualities perfectly adapted to making the most of her discovery. She unrolled as a scroll the hitherto unspoken mystery and majesty of her mountain fastnesses. Without sentimentalizing or romantically misrepresenting the mountaineers, she invested their meagre life and primitive character with a certain poetic dignity unconsciously borrowed from their natural surroundings. In a word, she seized and interpreted physical features, natural phenomena, and aspects of human life with a precision, vigor, and dramatic passion which rightfully entitled her to a wide consideration, closely resembling fame. Standing thus easily first among the writers of purely American modern fiction, unless she could sustain her position she should have rested on her laurels. But more zealously than any other she has applied herself to writing away her reputation. The first volume of sketches contained almost all that is good in her subsequent novels and tales, and much, very much, that is far better.

Candid criticism of her last novel, 'The Despot of Broomsedge Cove,' can be little more than a threnody, a weeping for Lycidas. Human history supplies a few themes apparently inexhaustible for the literary purposes even of writers as purely objective as is Miss Murfree. They are isolated actions, or a sequence of deeds so superlatively beautiful or heroic that their power to charm never diminishes, and each writer who describes them may make them as good as new. It ought to be unnecessary to point out that a life so circumscribed physically, intellectually, and spiritually as that of the Tennessee mountaineer, does not furnish such an enduring theme, and that the amplification and repetition of its limited possibilities is a waste of effort, sure to weaken the force of a first impression. Miss Murfree's last book is a tiresome sequence of repetitions and reproductions. Her lack of the constructive sense is painfully conspicuous in so long a novel. Every chapter or two she loses her grip of narrative. Probably feeling herself at sea, she grasps any sort of a float, and when she reaches firm land again, it is with an air of denying that she has ever been adrift, of warning people not to suppose that she hasn't known where she was all the time. Unfortunately, the reader cannot be so readily imposed on, as if her floats were subjectivities which are inestimable for bridging chasms and concealing a halting action. She cannot waft the despot, Teck Jepson, along from one arrogant deed to another by speculating about what he might have done if he had been born somebody else, or by disquisitions on the immutable laws of his being. She grasps for relief incidents and characters removed from his sovereignty, and, through them, returns at distantly recurring intervals to touch indistinctly the keynote of her theme.

Her inability to sustain character is as fatal to novel-writing as her failure in construction. When Jepson is introduced, the reader feels a character arrogant, positive, narrow, and prejudiced. He understands that Jepson's imagination is aflame with the glories of Solomon, the trials of Moses, the atrocities of Jezebel and Ahab, as luridly depicted by the circuit preacher. He knows that Jepson believes himself to be about the finest fellow on the mountains, and anticipates the satisfaction of seeing him ride for a fall, or at least of beholding him purged by fire. But Miss Murfree snubs her reader's forecast and discredits his intuitions. Jepson's connection with the tragedy of the tale is accidental; it does not affect or develop his character; he is discarded for other interests, and what suspense there is hangs on Marcelly Strobe's affection for her father. Marcelly is a snappish but attractive maiden; her filial devotion is insistent, yet when we set out to read about a despot, we are not pleased to be put off with anxiety about the temporal welfare of a half-cracked constable.

The minor incidents and separate interests of the novel are very numerous, and irrelevant to its presumed original design. Though plainly makeshifts, they are still not such palpable padding as are the descriptions of natural scenery and of the varying behavior of the elements. The mountains, the mists, and, with less natural justification, the moon, are always there, in Tennessee, and Miss Murfree uses them "for all they are worth." Language is both impoverished and enriched in their description, and wherever the sound is most impressive, there is wisdom in suppressing curiosity about the sense. As the cantatrice steps gayly to the front, setting the echoes flying with roulade or bravura, while the tenor lies gasping by the wings with a dastard's dagger in his breast, so Miss Murfree leaves Teck and Marcelly in most critical agitation, to discourse on the "incomparable glister of the sweeps," the "gorgeous, albeit noiseless splendor of

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sunset-tides" (where or when was the sunset ever *noisy*?), the "mellow" moon, the "lucent, yellow" moon, every kind of moon that ever was and that never was beyond the peaks and ranges and lateral spurs of the Tennessee mountains. Just when feeling is tensest, she dwells on the vocal exercise of frog and katydid, and lingers to note the song of the cicada, "charged with somnolently melodious post-meridian sentiment," the hay "tending here and there to the nullity of invisibility," and a cloud with "tenuous trailing cirrus effects on its verge." Miss Murfree has always overdrawn scenic effects, and has now reached a stage of abandon to spectacle beside which even Mr. Black's ecstasies over the Western Isles are cold and prosaic. Her attachment to long and unusual words has deepened, and her peculiar use of the word "null" in itself furnishes matter for an essay. It is an ungrateful task to criticise Miss Murfree with a minuteness which appears captious. The best excuse is that unconsidered trifles have as much to do with the making of a good book as with the making of human happiness. The mountains and the moon, "survigorous" and "stiddier' and "catawampus," may have lost their charm, but it is hardly possible that Miss Murfree's power to make us laugh or cry is exhausted.

Without insinuation of comparison between the character or quality of Miss Murfree's work and that of the author of 'A Daughter of Eve,' it may be said that he is one of her rivals in the industry of writing away a reputation. His specialty is the Mammon worshippers of New York, and his last effort a dull réchauffé of former clever treatises on his pregnant theme. The Barrymores preying upon Mr. Litchfield, a rich relation by marriage, are not wily or ingenious enough to amuse, nor are they wicked or base enough to excite keen contempt. Perez Galdós, in 'Leon Roch,' describes an exactly similar situation, but how different the method and the effect upon the reader! Every attack made upon Leon Roch's purse by his wife's relations is superficially a bit of brilliant comedy, while the utter worthlessness of the birds of prey is so unmistakably insinuated that the reader is wrought up to detestation of the whole shameless flock. Nerve and intensity must be thrown into the delineation of social parasites and leeches if the performance is to be anything but futile. Limp representation palliates their depravity and venom. The Barrymores are shabby and sordid, but neither funny nor abominable. The hero, Mr. Merion, is the most amusing of the characters, and suggests 'A Son of Adam' as an appropriate alternative title. Never a woman tempted him but he fell. He loves simultaneously all the available women, three in number, and is of them beloved. Running from charmer to charmer, patting this one on the head, folding that one to his breast, he is finally trapped by a simple village maiden, Dorothy, after a passionate controversy about which shall kneel at the other's feet.

The volume of short stories by the same author included under the title, 'Better Times,' were written, he says, in his younger days, "in the better times when stories made themselves out of instinct and sympathy, not from experience and observation." Undoubtedly they belong to the first hours of the modern realistic movement in fiction, when actual life was permitted to furnish materials for the story from beginning to end—excepting one chapter or page: the conclusion was beyond the author's control; it was fixed by the law of custom and as yet unalterable. In defiance of logic, probability, or possibility, the right man must marry the right maid; poverty and sorrow could be but temporary inflictions on the virtuous to test their mettle, and the monstrous career of the vicious must terminate ingloriously. People in those days could probably look facts in the face as boldly as now; they knew how crooked the course of life persistently runs, and how ill-regulated are its finalities, but they had still some faith in the Balm in Gilead, and were resolved that it should receive honorable notice in their fiction. On the whole, they were better times, for both the average story-teller and reader. The former had only to make a beginning and get to the prescribed end by any road he might devise; the latter, no matter how he cavilled or yawned by the way, knew that at the last station perfect satisfaction would permeate his being. Sentimental, romantic, illogical, these optimistic stories of better times may be, yet they are to-day pleasanter reading and more edifying than are the shifts of the necessitous Barrymores and the amorous perplexities of Mr. Merion—a fabric constructed, we are free to suppose, from the author's experience and observation.

The reputation of the author of 'Cape Cod Folks' as a writer of realistic fiction was established, it will be remembered, by a suit for libel brought against her publishers by an actual native of the Cape. He believed that in this sprightly narrative he had been injuriously lampooned. No such terror menaces the publishers of 'Lastchance Junction.' No man could endure existence when self-esteem had sunk so low that he imagined himself a model for any character in this wild and terrible tale. The exact geographical position of Lastchance Junction is cautiously hidden in phrases. It is "thousands of miles from here" (*here* being a clearing at the base of a range of the Rockies); it is the "grandest place God ever made"; it is the "furthest territory that only we, a few people who belong together, know about." The select few knew each other familiarly as "The Busted," and there was a cataract at Lastchance tumbling hundreds of feet and singing as it fell—"Welcome! welcome! ye Busted ones." The Busted were intimately bound to each other, and, though imperatively "wanted" in other quarters, were fully aware that the welcome accorded them by a fastidious civilization would not shape itself tangibly in gold rings and fatted calves. They agreed together like birds in their little nests, and the eye of distrust rested on only one of their number, who had apparently become "a busted one" by ways so unspeakably bad that they are only darkly hinted at. This *suspect*, Gordon Ferris, was a beautiful youth and the pride of Colonel Bloomer's open-air circus. By his great skill with the lariat and in riding a raging, bellowing bull, he captured the heart of Miss Lucy Dorne, who, with her highly cultured family, was casually looking on at the ring near the base of the Rockies. Of the lady's antecedent history we are informed that "she had seen many people mangled and torn the world over for her entertainment"; therefore we are not surprised when she abandoned the inanities of wealth and station for so accomplished a mangler and tearer as Mr. Ferris. We forbear to dwell upon the experiences of the "pride of the Dornes" become Mrs. Ferris; they are awful as a nightmare of a ghoul after a midnight banquet, and beyond the pale of human judgment.

The stories collected under the title, 'A Latin-Quarter Courtship,' properly belong, with one exception, to that column of a village paper sacred to the imaginative effusions of local genius. No rustic maiden would blush to own them, and her relations would feel repaid for the expense of her summer at Chautauqua by the printed evidence of her fluency in the French tongue. Not that the stories are written entirely in French; but that precise and polite language is resorted to when it is necessary to express such an involved idea as that a certain room is on the fifth floor to the left, or that a maid believes her mistress to be ill. The courtship is indebted for its Latin-Quarter flavor principally to the dazzling proficiency in a strange tongue of the people interested directly or indirectly, though something is also due to a guide-book intimacy with the streets and suburbs of Paris. It is to be supposed that the lover, Ormizon, wrote his successful novel in French, because his English is so very queer, and one cannot believe that a gentleman who reflected coldly, such and such a thing "cannot do no possible harm," had reached perfection in English literary style. The redeeming feature of the volume is "Mr. Sonnenschein's Inheritance," a Hebrew character sketch. Mr. Sonnenschein is a Schlemiel, and a Schlemiel is a creature who can never have good luck, but is cheerfully resigned to bad. The sketch is vivacious and amusing, and, granting the character, there is nothing improbable in the Schlemiel's management of his inheritance.

Several of the ill-assorted sketches gathered under the title 'A Shocking Example' may have made their first appearance in one of those Ladies' Journals the continued existence of which shows that female intelligence is still largely unimpaired by the insidious attacks of the "higher education." "Robert's Wife" is a fine specimen of Ladies' Journal twaddle, and "An Incident of English Railroad Travel" lags not far behind. "The Cold Punch Act" has some force and real life, but is destroyed by the vulgar extravagance of the catastrophe. "Craddock's Heldest" is a pathetic sketch of the precociously mature child of a London char-woman, slightly overdrawn. The essay on "Table Talk" is strained, and the reader is invited to accept conclusions for which, to say the least, the author's original propositions have not prepared him. And what is the excuse which a sensible writer in the English language offers to herself for exclaiming, at the end of a respectable essay, "Causons-nous donc mes frères; ainsi soit-il!"? Even Luska's brilliancy in French pales before Miss Baylor's, and when both French and English are inadequate for her needs, Spanish answers promptly on call. For the purpose of writing well in English, it occurs to us that the time necessarily expended in acquiring about enough French and Spanish "to last over night" might have been better employed in the study of the great English writers whose names Miss Baylor rattles off so glibly. An hour or so devoted to Coleridge might, at all events, have saved her from presenting in quotation (page 65) an extraordinary version of the famous farewell to that "good man," Sir Arthur O'Kellyn, which properly runs thus:

> "The Knight's bones are dust,
> And his good sword rust.—
> His soul is with the saints, I trust."

The sketch of the priest, Miguel Hidalgo, who died for liberty in Mexico in 1811, is sympathetic and strong. For the author's sake it is a pity that so good a bit of work should be bound up with what is trivial and unworthy of fine companionship.

'A Quaker Girl of Nantucket' is a distracting jumble of the old and the new, the modern realistic method and the by-gone artificial, romantic conventions. The aunts, Hepsy and Dorcas, and Obed Swaine belong among the living whose earthly abode is on Nantucket Island, and no people could

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more strongly object to being dragged into such a mesh of ridiculously improbable circumstances as those here set forth with much prolixity. Some episodes recur in fiction with the unfailing regularity of the new moon in the sky, but it is long since they deceived us about their brand-newness, lacking, perhaps, the serene effrontery of the clever moon. Past hope of furbishing into semblance of newness is that confusion of identity arising from a wreck at sea and the rescue of two tender babes of parentage unknown. The author here does honor to the antiquity of the complication by omitting none of the well-known details. By a series of inconsequent events, wrong is at last made right, but for the reader dark is never made light. To the end, whys and wherefores remain unexplained and inexplicable.

In 'French Janet' the mystery surrounding motive and reason is similarly deep, and the writer has not the excuse of inexperience for working without design. The first part, describing the Scotch family of Windygates and the visit to Paris of the young Windygates, where he was to "acquire the last French polish" and not to be introduced to French vices, is very smooth and agreeable narrative. Through the intercourse of the Scotch boy with the De Châlons family, a vivid impression is given of the high distinction, with its taint of corruption, which characterized the great French nobles in their last hour of power. So far the author is on sure ground; but when she converts, apparently capriciously, what promised to be a fine tale of worldly intrigue and passion into a ghost story, she flounders about in the most helpless manner. A ghost story rationally explained is always disappointing, but a ghost story for which what may be called a working hypothesis cannot be constructed is insulting. French Janet's ghost does things of which no one could ever believe a ghost capable, and disregards all proper ghostly functions. She is a miserable travesty of a ghost, and greatly discredits the wit and wickedness which inspired her natural body.

There is a moral motive in 'A Dangerous Catspaw' that is not nearly so clear and unimpeachable as the narrative. Mr. Murray desires to tell us that, sin being a matter of temptation, any one may fall, and therefore no one should pride himself on his virtue, nor judge his brother harshly. To maintain this position great care should be taken in the selection of the sin and the sinner. Mr. Murray's combination is weak. Mr. Wyncott Esden, a gentleman by birth and breeding, an astute lawyer, and a man of comparatively blameless life, steals jewels valued at thirty thousand pounds, because he is in temporary need of money and has a "jimmy" in his pocket, a token of gratitude from a desperate criminal acquitted by his forensic eloquence. Decidedly the temptation does not excuse the crime. It may be that, after his confession and suffering, Esden might sooner be trusted than "many men who have led fairly blameless lives," yet it is exceedingly doubtful whether meeting an enemy on a dark and lonely road, and having in his pocket a pistol or knife or other suggestive weapon, he would permit that enemy to pass by in safety. Letting the moral alone, the story is good of its kind, told directly and naturally, with no waste of words.

Easy and unaffected expression is the quality that makes English novels of the poorer sort more acceptable than American to people with any appreciation of literary style. 'A Fair Emigrant' is an example of the wretchedest kind of English fiction, though the central situation is novel. The fair emigrant does not land at Castle Garden friendless and homeless, her fortune in her face. The American daughter of an Irish father, she reëmigrates to unhappy Erin, her fortune in letters of credit representing bundles of bonds. Her double mission is to establish her father's innocence of the imputed crime of murder and to introduce into Ireland American energy and improved agricultural implements. The train of events is romantic and more or less foolish, but they are smoothly run together, and it is possible to follow them without being irritated by jarring machinery and exasperated by badly made sentences and strained, meaningless phrases.

A flowing, apparently effortless style is the abiding merit of Mr. Besant's novels, and though he has told so many stories, he never repeats himself. When the life of to-day offers no attractive subject, he cheerfully falls back on yesterday. In 'For Faith and Freedom' he selects an exciting and dramatic yesterday hitherto overlooked by novelists. The landing of the Duke of Monmouth at Lyme with intention to rescue Protestant England from the rule of his uncle, James II., and the vengeance wreaked on the West by the cruel and gloomy Stuart after his victory at Sedgemoor, furnish historical foundation for a fiction full of movement and human warmth and color. The incidents may have been suggested by a passage in Green; at all events, they are summarized by him when he says:

"The Chief Justice, Jeffreys, was sent to earn the 'Seals' by a series of judicial murders which have left his name a byword for cruelty. Three hundred and fifty rebels were hanged in what has ever since been known as the 'Bloody Circuit,' while Jeffreys made his way through Dorset and Somerset. More than eight hundred were sold into slavery beyond sea; a yet larger number whipped and imprisoned. The Queen, the maids of honor, the courtiers, even the Judge himself, made shameless profit from the sale of pardons."

Cold and matter-of-fact as the historian's statement is, it moves an emotion of indignant horror which is intensified by the novelist's art that vivifies the general and the remote, epitomizes widespread suffering, and individualizes the wrongs endured by a multitude.

The hearty humanity and physical vigor of Mr. Besant's work are in striking contrast to the intellectual subtlety and supersensitiveness of Mr. James's, yet the authors meet on the common ground of all first-rate craftsmen. They never shirk or botch; they never discredit themselves or their trade. The motive of each of the three stories included by Mr. James under the title 'The Aspern Papers' is so light as to be whimsical. Robust people, doubtful of the depth of emotion which doesn't shriek, incredulous of intellectual tragedy, unsusceptible to comedy not grinning or roaring, can hardly find them worthy even of august disapproval. A man who cannot find life worth living unless he shall get possession of certain papers relative to the life of a poet long dead is, to such, a fool; a woman, moved by sentiment reminiscent of her youth to tell damaging truths about her own daughter, is a monster; another woman who kills herself from fear of her brother's criticism of her husband's book, is an impossible creation of a morbid brain. Judgment rests on the facts in the case, and an author tried by such a damaging array of facts must expect to be pronounced a lunatic by a commission of his whole possible public. But the facts of incident or event are really of the slightest importance for passing judgment on Mr. James's work. He stands or falls by the truth, the refined accurate truth, of his interpretation of the thought, motive, impulse, caprice of the people whom he confronts with any problem of existence, temporary or permanent. In these stories his interpretation is admirable, cold, polished, making no concessions to popular conceptions of what is nice and proper, or even probable according to sentimental or provincial notions. The stories have the worldly touch just as surely and unaffectedly as Mr. Besant's novels have the broadly human touch; and though they appeal only to a restricted class, they will gratify and satisfy that class exceedingly.

Lives of the Fathers: Sketches of Church History in Biography by Frederic W. Farrar, D.D., F.R.S. 2 vols. Macmillan & Co. 1889.

No English writer on Church history in our day is sure of a wider audience than Archdeacon Farrar. His previous works, especially his 'Life and Works of St. Paul,' have given him a strong hold upon that great body of readers who desire a large and eloquent presentation with as little as may be of the machinery of scholarship.

The present volumes on the 'Lives of the Fathers' will go far to strengthen this reputation. They are the work of a man who has read what the fathers wrote, and who is familiar with much of the recent literature about them, but who contrives to present the result of wide study in a popular and taking form. Profound they are not and are not meant to be. They touch upon questions of the higher criticism only where it is necessary for the sake of clearness. Beginning with a brief sketch of the literature known as the writings of the "Apostolic Fathers" and of its semi-mythical authors, Dr. Farrar takes up in succession the lives of the most noted Christian writers from Ignatius to Chrysostom. These sketches taken together form thus an almost complete Church history of the first four centuries. If ever the biographical method may properly be used to convey historical information, it is surely in connection with the early Church, for there the history of the institution is hardly more than that of the leaders who were helping to make it. Nor is the biographical method here pushed to the extreme; but the man is, in each case, taken as representing some phase of the general life of Christendom. This plan saves the author from many of the dangers of the biographer, but he does not escape them all. He is, after all, dealing with a series of heroes, and he defends them sometimes with the true apologetic zeal. For instance, he goes no further, in speaking of Justin Martyr, than to say that he was "not a very powerful reasoner," where one familiar with some of Justin's vagaries, as, for instance, his explanation of the symbolism of the cross, can hardly do otherwise than think of him as pretty nearly deprived of reason altogether.

On the other hand, we see, together with great admiration for orthodoxy, the greatest fairness in the treatment of heresy, as, for instance, in the case of the Montanists, where Dr. Farrar shows very beautifully the essential truth retained by this most bitterly persecuted sect long after it seemed to be forgotten by the dominant orthodox party.

In the proportion of space allowed to the different writers, Augustine and Jerome are, naturally, perhaps, the most favored. Their voluminous writings and their great personal influence make them central figures during most important crises of the Church's life. We are surprised, however, to find the great Alexandrians, Clement and Origen, dismissed with a few pages. One would hardly get an impression here of what we believe to be the truth, that these two writers did more to maintain and transmit a lofty spiritual conception of

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the foundation dogmas of Christianity than any others. They have been obscured, it is true, by later dogmatism. Sacerdotalism and ecclesiasticism in all its forms have done their best to put doctrines of secondary importance into a foremost place; but the Christian world is at last waking up to the essential loftiness and purity of the early Greek theology, and the incrustations of the Latin school are being removed. Dr. Farrar takes sufficient pains to defend Origen from the charges of heresy, but compresses into a very brief space the account of his influence, and hardly suggests the comparison with the Latin theology to which we have alluded.

Excellent chronological tables and a good index complete this most useful contribution to the popular study of early Church history.

The Telephone. By Wm. Henry Preece, F.R.S., and Julius Meier, Ph.D. London: Whittaker & Co.; New York: D. Van Nostrand. 1889.

THE work before us constitutes a valuable contribution to applied science. The authors have gathered together, and arranged in clear and convenient sequence, the main facts in the history of the development of the telephone and almost all the forms of apparatus which are likely to retain a permanent interest. They have wisely kept aloof from questions of priority, and have given what is fairly to be considered an impartial history of one of the most beautiful of human inventions. The first recorded plan for the transmission of speech to a distance by means of electricity is due to a Frenchman, Charles Bourseul, who in 1854 published a paper upon the subject, in which the theory of such transmission is given with perfect clearness and correctness. Bourseul appears to have made experiments which promised ultimate success. It is certain that he actually achieved nothing which deserves to be remembered, but it is something to have foreseen the possibility of such results as we now have. Next, in 1868, came Philip Reis, who went so far as to construct a telephonic transmitter and receiver which—whether intended to transmit speech or not—actually did transmit distinctly audible words and even sentences. His place in the history of the telephone is that of Jouffroy in the history of the application of steam to navigation, of Walter Hunt in the invention of the sewing-machine, and of scores of others who thought out problems in applied science, devised means for carrying their ideas into execution, and in the end left nothing but a record of intellectual success and practical failure. The story of Bell's invention is simply and clearly told. Those who wish for more elaborate and minute details of the history and of the claims of others to a greater or less share of credit in the invention, may be referred to the voluminous reports of the various legal struggles in our own country, which in this case, as in the case of the electric telegraph, with an incredible amount of chaff, contain many grains of real value and interest not to be found elsewhere.

Every electric telephone consists essentially of a transmitter and a receiver. Our authors treat these first in order, and we have clear descriptions and excellent woodcuts of a large number of very interesting and suggestive forms of apparatus. Among them we regret not to see noticed the extremely ingenious devices of our countryman, Dolbear. All things considered, Bell's receiver is still practically the best; his transmitter was long since replaced by better forms. The different kinds of carbon transmitter, depending upon a fundamental principle due to Du Moncel, are described with much detail. We have sufficiently full accounts of various abnormal forms of telephone, of which perhaps the most remarkable is the photophone of Bell and Tainter.

It will readily be understood that the practice of telephony has now become a highly organized system, with a multitude of details, major and minor, each one of which has been worked out with great patience and ingenuity. Inventors of all civilized nations have devoted their attention to overcoming difficulties and improving apparatus. We have ample details of these contrivances, and the American, English, French, German, and Swiss systems are spread before us for study. Messrs. Preece and Meier have executed their very laborious task with conscientious care, and have produced a model work. We hope to see the subject of telegraphy treated with equal ability.

The Laws of the State of New York relating to Building Associations. By Willis S. Paine, LL.D. L. K. Strouse & Co.

THE rapid increase in the number of building and loan associations in this State makes such a work as has been prepared by the Superintendent of the State Banking Department timely and valuable. It contains an introduction which discusses this form of coöperation, and points out possible dangers of management, giving the text of the report made on the subject in 1856 by a committee of the Assembly, who found the associations then existing in so perilous a condition that they recommended a repeal of the law governing their organization; a chapter on the "Character of Coöperative Building and Loan Associations," the text of the acts of 1851 and of 1887, and notes on each section of these acts, explaining their requirements and pointing out where these associations are amenable to the general corporation acts of the State.

The author's introduction will go far to remove the impression that he is unfriendly to the building and loan association system, as was inferred from his remarks on the subject in his annual report of this year as Bank Superintendent. He says that such associations "become the foes of communism, creating habits of accumulation and assuring the privacy of homes," and that they "become indirectly valuable moral agencies as a partial solution of the tenement-house problem"; pointing out at the same time that "they may, if loosely managed, prove a serious injury to the frugal and industrious wage-earners who invest in them." But that he has not mastered the subject is evident from his remark that "terminating [as contrasted with serial] associations are more popular and common in the United States, and the other classes are comparatively rare." This is a misstatement, and the inference to be drawn, that the terminating system is the better one, is misleading. The serial plan possesses so many advantages that only a lack of knowledge of the subject would lead any body of coöperative economizers to organize under the terminating system.

BOOKS OF THE WEEK.

Abbot, E. The Authorship of the Fourth Gospel, and Other Critical Essays. Boston: George H. Ellis.
Adams, Prof. C. K. A Manual of Historical Literature. 3d ed. revised and enlarged. Harper & Bros.
An Author's Love: Being the Unpublished Letters of Prosper Mérimée's 'Inconnue.' Macmillan & Co. $1.50.
A Satchel Guide for the Vacation Tourist in Europe. Boston: Houghton, Mifflin & Co. $1.50.
Barns, C. E. A Venetian Study in Black and White. Willard Fracker & Co.
Barr, Amelia E. Between Two Loves. Dodd, Mead & Co. $1.25.
Benjamin, M. May-Time: A Collection of Poems, Exhibition Pieces, and Games. DeWitt Publishing House. 10 cents.
Blennerhassett, Lady. Madame de Staël: Her Friends, and Her Influence in Politics and Literature. 3 vols. With Portrait. Philadelphia: J. B. Lippincott Co.
Bourrienne, L. de. Memoirs of Napoleon Bonaparte. 4 vols. Full Index. Thomas Y. Crowell & Co. $5.
Boylston, P. John Charáxes: A Tale of the Civil War in America. Philadelphia: J. B. Lippincott Co. $1.25.
Campbell, Rev. W. The Gospel of St. Matthew in Formosan (Sinkang Dialect), with Corresponding Versions in Dutch and English. Edited from Gravius's Edition of 1661. London: Trübner & Co.
Chapin, Prof. J. H. From Japan to Granada: Sketches of Observation and Inquiry. G. P. Putnam's Sons. $1.50.
Cobb, S., Jr. Ivan the Serf. J. S. Ogilvie.
Cobbe, Frances Power. The Scientific Spirit of the Age, and Other Pleas and Discussions. Boston: George H. Ellis.
Collections of the Massachusetts Historical Society. Sixth Series. Vol. III. Winthrop Papers. Part V. Boston: The Society.
Connolly, J. H. A Storm Ashore. Belford, Clarke & Co. 25 cents.
Crawford, T. C. The American Vendetta: A Story of Barbarism in the United States. Belford, Clarke & Co.
De Salis, Mrs. Puddings and Pastry à la Mode. Longmans, Green & Co. 60 cents.
Encyclopædia Britannica. Ninth ed. Index. Boston: Little, Brown & Co.
Frith, W. P. My Autobiography and Reminiscences. Vol. II. Harper & Bros.
Froude, J. A. The Two Chiefs of Dunboy: An Irish Romance of the Last Century. Chas. Scribner's Sons. $1.50.
Fullerton, Prof. G. S. A Plain Argument for God. Philadelphia: J. B. Lippincott Co. $1.
Gardiner, S. R. History of the Great Civil War, 1642–1649. Vol. II. 1644–1647. Longmans, Green & Co. $8.
Harland, H. Grandison Mather; or, An Account of the Fortunes of Mr. and Mrs. Thomas Gardiner. Cassell & Co.
Harper, Olive. A Fair Californian. Minerva Publishing Co. 50 cents.
Harrison, Mrs. Burton. Short Comedies for Amateur Players. DeWitt Publishing House. 50 cents.
Howells, W. D. The Mouse-Trap, and Other Farces. Illustrated. Harper & Bros.
Hutson, Prof. C. W. A History of French Literature. The Aldine Co.
Jacobi, Dr. Mary Putnam. Physiological Notes on Primary Education and the Study of Language. G. P. Putnam's Sons. $1.
James, Dr. B. W. American Resorts: with Notes upon their Climate. For Invalids. F. A. Davis.
Johnson—Buel. Battles and Leaders of the Civil War. Vol. IV. The Century Co.
Kedney, Prof. J. S. Christian Doctrine Harmonized and its Rationality Vindicated. 2 vols. G. P. Putnam's Sons. $5.
Kinkead, A. The Queen of the Block. Belford, Clarke & Co. 25 cents.
McCarthy—Campbell—Praed. The Ladies' Gallery: A Novel. D. Appleton & Co. 75 cents. Also, Raid, McNally & Co.
Meriwether, L. The Tramp at Home. Illustrated. Harper & Bros.
Nichol, Prof. J. Francis Bacon: His Life and Philosophy. Part II. Philadelphia: J. B. Lippincott Co. $1.25.
Roe, E. P. The Home Acre. Dodd, Mead & Co. $1.50.

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